



Protection Order Service of Process Statutes

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TECHNICAL ASSISTANCE

Free Training and Technical Assistance is available.

Contact Information:

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

Tel: 1.800.903.0111 Select Prompt 2

Email: ncffc@bwjp.org

Website: www.fullfaithandcredit.org

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Summary

Introduction

Every jurisdiction in the United States offers some form of protection order. However, the service of process (service) requirements for those protection orders vary by jurisdiction and by the type of protection order being sought. The chart below lists jurisdictions and their relevant statutes that govern service of protection orders, including foreign or out of state protection orders. Common issues arise with protection orders, including the time frame within which the respondent must be served, who may serve, whether there are any “special conditions” for service, the approved methods of service, the procedures that must be taken to serve a minor or incapacitated individual, and whether there have been significant changes in the law. The following sections will explore these issues in depth.

Time Allowed for Service

Jurisdictions have a variety of methods for determining how soon service must be completed after issuance of a protection order. The first method is simply describing the way in which service is to be completed. For example, in Alabama and Virginia, service is to be completed “as soon as possible.” Illinois and Alaska require service be completed “promptly” while Delaware, Maryland, and New Mexico require service be completed “immediately.” Indiana requires “expedited” service and Utah merely requires a good faith reasonable effort to complete service. In Maine, a protection order is to be transmitted to the serving agency “as soon as practicable” and then the agency must serve the order “expeditiously.” In Vermont, a protection order must be “promptly” given to law enforcement, who will then serve the order at the earliest possible time.

Other jurisdictions enumerate a specific number of days within which a protection order must be served. Nevada provides the longest amount of time, with 120 days to serve a protection order. Arizona and Montana require orders to be served within 90 days. In Arizona, if they are not, they will either be dismissed, or a new deadline will be set. Pennsylvania allows 90 days for service if the respondent lives outside of Pennsylvania, but only 30 days for service if the respondent lives in Pennsylvania. In Kentucky, ex parte orders must be served within 14 days while final orders must be served within 6 months. Nebraska also requires 14 days for service. In Louisiana, temporary orders must be served within 24 hours, and they must be served within the same day in Ohio. Florida requires protection orders be forwarded to law enforcement within 24 hours but does not specify how quickly law enforcement must complete service. In Oregon, notice must be provided to the petitioner if service is not completed within ten days, and if the petitioner does not respond within 10 days, the order will be “held.”

The other method used by jurisdictions is to require service within a certain number of days leading up to a hearing on the protection order. Arkansas, Minnesota, North Carolina, North Dakota, South Carolina, South Dakota, Tennessee, and Washington all require notice five days prior to the hearing. Connecticut, Missouri, and New York all require notice 3 days prior to the hearing.

Authorized Agents

The Time Allowed for Service section addresses *when* a protection order must be served, while this section addresses *who* may serve a protection order. Nineteen jurisdictions have provisions stating who may serve a protection order. Though each may define “law enforcement officer” differently, fourteen jurisdictions have some provision permitting a law enforcement officer to serve a protection order. Arizona, Arkansas, Georgia, and Illinois all permit an individual appointed by the court to serve a protection order. Colorado, Nevada and New Jersey all permit an individual who is not a party to the case to serve a protection order. Alabama, Georgia, Idaho, Kentucky, and Michigan all allow any competent adult to provide service. Arkansas also allows the plaintiff or the plaintiff’s attorney to serve if done so by mail while Iowa permits anyone other than the plaintiff or the plaintiff’s attorney.

Special Service Conditions

A vast minority of jurisdictions, only seven, permit some form of “special service conditions.” This can either be short form notification or verbal notification. With short form notification, the respondent receives a truncated explanation of the protection order sought against them. The jurisdictions that permit short form notification include Illinois, Iowa, and Minnesota. Iowa specifically states that for an officer to provide short form notification, they must be acting in the course of their official duties. Verbal notification, as the name implies, is when a respondent is served verbally as opposed to in writing. California, Colorado, Michigan, and Nevada all permit verbal notification. In California, an officer may only issue a verbal notification if they are responding to an incident. In Colorado, a judge may issue a verbal ex parte order if the petitioner or a loved one is in imminent danger. Illinois, Iowa, Michigan, and Minnesota all specifically enumerate the details that must be included in their respective short form or verbal notifications.

Service of Process Method

While the prior sections described when a protection order must be served and who may serve those protections orders, this section describes how a protection order must be served. Thirty-six jurisdictions require some form of personal service for either their final orders or ex parte orders. Arkansas, Colorado, Minnesota, Montana, Rhode Island, Texas, Vermont, Washington, West Virginia, and Wisconsin all allow service by publication. Arkansas, Colorado, Iowa, Michigan, Missouri, Nevada, New Jersey, Oklahoma, and Texas all

have some provision relating to service on a minor. Arkansas, Vermont, and the District of Columbia allow final orders to be served on the respondent's attorney. California, Idaho, Maryland, Minnesota, Montana, Oregon, Rhode Island, South Carolina, Tennessee, Texas, and Washington all have provisions permitting service of final orders by certified mail.

Service on Minors and Incapacitated Individuals

Ten jurisdictions have statutes that either govern service on minors or service on incapacitated adults. Of those, only Arkansas, Nevada, New Jersey, and Oregon have statutes addressing service on an incapacitated individual. Arkansas requires service be completed on the individual and their guardian or conservator. Nevada requires service on the individual and their guardian or fiduciary, someone who resides at the same residence as the individual, or another person identified by the court. In New Jersey, service must be provided to the individual's guardian, a competent adult household member, or, if the individual resides in a care facility, the director of that facility. In Oregon, the service requirements are identical to the requirements for service on a minor, discussed below.

All ten jurisdictions have statutes governing service on the minor. Nine of those jurisdictions permit service on a parent, guardian, fiduciary, or conservator to complete service. Arkansas, Iowa, Nevada, and Oregon all allow service on an individual who has care or control over the minor or an individual with whom the minor resides. Iowa and Oregon also allow service on the minor's employer. Oregon also permits service on the minor's Guardian Ad Litem if the minor has one. Alabama allows service on the minor's spouse if the minor is married, or on the minor if they are over the age of 16. Arkansas allows service on the minor if the minor is emancipated. Oklahoma statutes do not mention service on minors generally but specify that papers must be delivered to the minor's new residence if the minor is removed from their current residence pursuant to a protection order.

Changes in the Law

Another important consideration when evaluating the rules for serving a protection order is whether the rules have changed. There have been statutory changes in the service of protection orders that have come into effect since 2025 in jurisdictions like Kentucky, Maryland, North Dakota and Tennessee.

TABLE OF CONTENTS

NOTE: For your convenience, hyperlinks are located on each state name in this Table of Contents.
For faster access, please select the name of the state you would like to view.

ALABAMA	8
ALASKA	22
AMERICAN SAMOA	28
ARIZONA	30
ARKANSAS	36
CALIFORNIA	48
COLORADO	56
CONNECTICUT	76
DELAWARE	84
DISTRICT OF COLUMBIA	90
FLORIDA	97
GEORGIA	103
GUAM	105
HAWAII	107
IDAHO	109
ILLINOIS	112
INDIANA	125
IOWA	127

KANSAS	135
KENTUCKY	137
LOUISIANA	142
MAINE	150
MARYLAND	161
MASSACHUSETTS	165
MICHIGAN	169
MINNESOTA	177
MISSISSIPPI	186
MISSOURI	198
MONTANA	202
NEBRASKA	206
NEVADA	211
NEW HAMPSHIRE	222
NEW JERSEY	224
NEW MEXICO	229
NEW YORK	232
NORTH CAROLINA	234

NORTH DAKOTA.....	244
NORTHERN MARIANA ISLANDS	247
OHIO	248
OKLAHOMA	259
OREGON	262
PENNSYLVANIA.....	271
PUERTO RICO	283
RHODE ISLAND	285
SOUTH CAROLINA.....	287
SOUTH DAKOTA.....	290
TENNESSEE	293

TEXAS	299
UTAH	305
VERMONT.....	308
VIRGINIA	316
U.S. VIRGIN ISLANDS.....	326
WASHINGTON	329
WEST VIRGINIA	341
WISCONSIN	343
WYOMING.....	345

STATE Type of Order	STATUTES	SERVICE OF PROCESS METHOD (Ex Parte, Final Order)	TIME ALLOWED FOR SERVICE	SHORT FORM NOTIFICATION ORAL NOTIFICATION	E-SERVICE	AUTHORIZED AGENT (Sheriff, Police, Private Process Server, Adult)
ALABAMA Protection from Abuse Ala. Code § 30-5-8 Ala. R. Civ. P. Rule 4	<p><u>Ala. Code § 30-5-8(a)(1)-(2), (c)-(e) Orders; copies; contents</u></p> <p>(a) (1) A copy of any notice of hearing or any protection order under this chapter shall be sent to the plaintiff within 24 hours of issuance, provided the plaintiff provides the court with current and accurate contact information, and to the law enforcement officials with jurisdiction over the residence of the plaintiff. The clerk of the court may furnish a certified copy of the notice of final hearing or protection order, if any, electronically.</p> <p>(2) A copy of the petition and ex parte protection order, if issued, under this chapter shall be served upon the defendant as soon as possible pursuant to Rule 4 of the Alabama Rules of Civil Procedure. A copy of the notice of final hearing and any other order under this chapter shall be issued to the defendant as soon as possible.</p> <p>(c) Within 24 hours after receiving proof of service of process of the petition and ex parte order, if issued, the clerk of court shall enter the service date into the Protection Order Registry of the Administrative Office of Courts and the information shall be electronically transmitted by the Administrative Office of Courts to the Alabama State Law Enforcement Agency. The Alabama State Law enforcement Agency shall enter the information into the Law Enforcement Tactical System and into the National Crime Information Center as approved by the Alabama Justice Information Commission.</p>	<p>Statute does not expressly say how final orders are served, although all orders must be sent to law enforcement officials with jurisdiction over the plaintiff's residence. Ala. Code § 30-5-8(e)(1) implies that all orders are to be served personally by law enforcement officers.</p> <p>Petitions and ex parte orders are served as follows.</p> <p>If the defendant is not a minor, an incompetent person, or an incarcerated person: they may be served (1) in person, (2) by leaving the process at their dwelling with a person of suitable age and discretion, or (3) by delivering the process to an</p>	<p>Statute is silent on the time allowed for service of final orders.</p> <p>Petitions and ex parte orders must be served as soon as possible. Statute does not provide a specific deadline.</p>	Statute is silent.	Statute is silent.	<p>Statute does not expressly say who is authorized to serve final orders.</p> <p>Petitions and ex parte orders can be served by the sheriff or constable of the county in which the defendant resides, or any person at least 19 years old who is not a party and is not related within the third degree by blood or marriage to the petitioner.</p>

	<p>(d) If a court vacates or modifies a protection order, the order shall be sent within 24 hours to the plaintiff, provided that the plaintiff provides the court with current and accurate contact information, to the defendant, and to the law enforcement officials where the victim resides.</p> <p>(e)</p> <p>(1) The Alabama Law Enforcement Agency shall develop an automated process by which a plaintiff may request notification of service of the protection order and other court actions related to the protection order as determined and approved by the Alabama Justice Information Commission. The automated notice shall be made within 12 hours after a law enforcement officer serves a protection order upon the defendant. The notification shall include, at a minimum, the date, time, and where the protection order was served. The information identifying the plaintiff referenced under subdivision (2) shall be exempt from public records requirements in Section 36-12-40.</p> <p>(2) Upon implementation of the automated process, information held by the clerks and law enforcement agencies in conjunction with this process that reveals a home or employment telephone number, cellular telephone number, home or employment address, electronic mail address, or other electronic means of identification of a plaintiff requesting notification of service of a protection order or other court actions is exempt from Section 36-12-40. Notwithstanding the provisions of this subsection, any state or federal agency that is authorized to have access to such information by any provision of law shall be granted access in the furtherance of the agency's statutory duties.</p>	<p>agent authorized to receive it.</p> <p>If the defendant is a minor: they may be served (1) by delivering the process to the defendant's parent, guardian, individual having care of them, or individual with whom the defendant lives, (2) by delivering the process to the defendant's spouse, if they are married, or (3) by delivering the process to the defendant personally, if they are over 16 years old.</p> <p>If the defendant is an incompetent person who is not confined: they may be served by serving the defendant personally as well as serving their guardian (if one has been appointed) or a person who lives with the defendant or takes care of the defendant (if no guardian has been</p>				
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	<p><u>Ala. R. Civ. P. Rule 4 Process: General and miscellaneous provisions</u></p> <p>(a) Summons or other process.</p> <p>(1) Issuance. Upon the filing of the complaint, or other document required to be served in the manner of an original complaint, the clerk shall forthwith issue the required summons or other process for service upon each defendant. Upon request of the plaintiff separate or additional summons shall issue at any time against any defendant.</p> <p>(2) Form. The summons, or other process, or each of them in cases involving multiple defendants, shall be signed by the clerk, contain the name of the court and the name of the first party on each side with an appropriate indication of other parties in cases involving multiple parties, be directed to the defendant or each defendant in cases involving multiple defendants, state the name and address of the plaintiff's attorney, if any, otherwise the plaintiff's address, and the time within which these rules require the defendant to appear and defend, and shall notify the defendant that, in case of the defendant's failure to do so, judgment by default may be rendered against the defendant for the relief demanded in the complaint.</p> <p>(3) Copy of complaint or other document. A copy of the complaint, showing the case number assigned to the action, or other document to be served shall accompany each summons or other process. The plaintiff shall furnish the clerk with sufficient copies of the complaint or other document to be served. Copies are not required if the complaint or other document is filed electronically.</p> <p>(4) Plaintiff and defendant defined. For the purpose of issuance and service of summons or other process, "plaintiff" shall include any</p>	<p>appointed).</p> <p>If the defendant is an incompetent person who is confined in an institution: they may be served by serving the superintendent of the institution, a similar official, or a person having the responsibility for custody of the defendant.</p> <p>If the defendant is incarcerated: they may be served personally, or if they are a minor they may be served under the rules for minors.</p>				
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	<p>party seeking the issuance of service of summons, and "defendant" shall include any party upon whom service of summons or other process is sought.</p> <p>(5) Instructions and form. The plaintiff shall furnish the clerk with instructions for service of the complaint or other document and, when requested by the clerk, the plaintiff shall also furnish sufficient properly completed copies of the summons or other process. When the plaintiff has requested the clerk to issue service by certified mail, the plaintiff, at the request of the clerk, shall also furnish properly completed postal forms necessary for such service.</p> <p>(b) Time limit for service. If service of the summons and complaint is not made upon a defendant within 120 days after the filing of the complaint, the court, upon motion or on its own initiative, after at least fourteen (14) days' notice to the plaintiff, may dismiss the action without prejudice as to the defendant upon whom service was not made or direct that service be effected within a specified time; provided, however, that if the plaintiff shows good cause for the failure to serve the defendant, the court shall extend the time for service for an appropriate period. This subdivision does not apply to fictitious-party practice pursuant to Rule 9 (h) or to service in a foreign country.</p> <p>(c) Upon whom process served. Service of process, except service by publication as provided in Rule 4.3, shall be made as follows:</p> <p>(1) Individual. Upon an individual, other than a minor or an incompetent person, by serving the individual or by leaving a copy of the summons and the complaint at the individual's dwelling house or usual place of abode with some person of suitable age and discretion then residing therein or by delivering a copy of the summons and the complaint to an agent</p>					
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	<p>authorized by appointment or by law to receive service of process;</p> <p>(2) Minor. Upon a minor by serving any one of the following: the father, the mother, the guardian, the individual having care of the minor or with whom the minor lives, or the spouse, if the minor is married, and, if the minor is over the age of sixteen (16) years, by also serving the minor personally;</p> <p>(3) Incompetent not confined. Upon an incompetent person not confined by serving the incompetent and that person's guardian but, if no guardian has been appointed, by serving the incompetent and a person with whom the incompetent lives or a person who cares for the incompetent;</p> <p>(4) Incompetent confined. Upon an incompetent person not having a guardian and confined in any institution for the mentally ill or mentally deficient, by serving the superintendent of the institution or similar official or person having the responsibility for custody of the incompetent person;</p> <p>(5) Incarcerated person. Upon an individual incarcerated in any penal institution or detention facility within this state, by serving the individual, except that when the individual to be served is a minor, by serving any one of the following: the father, the mother, the guardian, the individual having care of the minor, or the spouse, if the minor is married, and, if the minor is over the age of sixteen (16) years, by also serving the minor personally;</p> <p>(6) Corporations and other entities. Upon a domestic or foreign corporation or upon a partnership, limited partnership, limited liability partnership, limited liability company, or unincorporated organization or association, by serving an officer, a partner (other than a limited partner), a managing or general agent,</p>					
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	<p>or any agent authorized by appointment or by law to receive service of process.</p> <p>(7) State. Upon this state or any one of its departments, agencies, offices, or institutions, by serving the officer responsible for the administration of the department, agency, office, or institution, and by serving the attorney general of this state;</p> <p>(8) Local Governments and other governmental entities. Upon a county, municipal corporation, or any other governmental entity not previously mentioned, or an agency thereof, by serving the chief executive officer or the clerk, or other person designated by appointment or by statute to receive service of process, or upon the attorney general of the state if such service is accompanied by an affidavit of a party or the party's attorney that all such persons described herein are unknown or cannot be located.</p> <p>(d) Amendment. The court, within its discretion and upon such terms as are just, may at any time allow or approve the amendment of any process or proof of service thereof, unless the amendment would cause material prejudice to the substantial rights of the party against whom the process was issued.</p> <p>(e) Service refused. If service of process is refused, and the certified mail receipt or the return of the person serving process states that service of process has been refused, the clerk shall send by ordinary mail a copy of the summons or other process and complaint or other document to be served to the defendant at the address set forth in the complaint or other document to be served. Service shall be deemed complete when the fact of mailing is entered of record.</p> <p>(f) Multiple defendants; incomplete service; dismissal of fictitiously named defendants.</p>					
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	<p>When there are multiple defendants and the summons (or other document to be served) and the complaint have been served on one or more, but not all, of the defendants, the plaintiff may proceed to judgment as to the defendant or defendants on whom process has been served and, if the judgment as to the defendant or defendants who have been served is final in all other respects, it shall be a final judgment. After the entry of judgment, if the plaintiff is able to obtain service on a defendant or defendants not previously served (except, however, defendants designated as fictitious parties as allowed by Rule 9(h), who shall be deemed to have been dismissed voluntarily when the case was announced ready for trial against other defendants sued by their true names), the court shall hear and determine the matter as to such defendant or defendants in the same manner as if such defendant or defendants had originally been brought into court, but such defendant or defendants shall be allowed the benefit of any payment or satisfaction that may have been made on the judgment previously entered in the action.</p> <p>(g) Effect of availability of alternative or dual modes of service of process. There shall be no objection to the service of process or notice to litigants, that two or more modes of service of notice are provided by law or under these rules, but service of notice perfected in any one manner or mode that is provided for by law or under these rules shall be deemed sufficient, notwithstanding that other modes or manner of service and notice are provided by law or under these rules.</p> <p>(h) Acceptance or waiver of service. A defendant may accept or waive service of process by a document signed by the defendant and filed with the clerk of court from which the process</p>					
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	<p>issued.</p> <p>(i) Methods of service. Service under this rule shall include the following:</p> <p>(1) Delivery by a process server.</p> <p>(A) By sheriff or constable. When process issued from any court subject to the provisions of these rules is to be delivered personally within this state, the clerk of the court shall deliver or mail the process and sufficient copies of the process and complaint, or other documents to be served, to the sheriff or constable of the county in which the party to be served resides or may be found.</p> <p>(B) By designated person. As an alternative to delivery by the sheriff, or when process is to be delivered personally outside this state, process issuing from any court governed by these rules may be served by any person not less than nineteen (19) years of age, who is not a party is not related within the third degree by blood or marriage to the party seeking service of process.</p> <p>(C) How served and returned. The person serving process shall deliver a copy of the process and accompanying documents to the defendant or other person who may be served under the provisions of Rule 4(c). When the copy of the process has been delivered, the person serving process shall endorse that fact on the return copy of the process, stating the date of service and the first and last name of the person served. If the service is substituted service on a person other than the defendant, the return shall also include sufficient information to show the person served qualifies as a person to be served for the defendant under Rule 4(c). The return shall be signed by the server and filed with the clerk of the issuing court, who</p>					
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	<p>shall make the appropriate entry on the docket sheet and electronic record relating to the action. If the service is made by a sheriff, deputy sheriff, or elected constable, the return shall clearly indicate the name, official title, and badge number or precinct number of the serving officer or constable. If the service is made by a Designated Person under Rule 4(i)(1)(B), the return shall clearly indicate the name, the physical address of the home or business, and the telephone number of the person serving process and must include a statement that the server meets the requirements of Rule 4(i)(1)(B). The return of the person serving process in the manner described herein shall be prima facie evidence that process has been served.</p> <p>(D) Failure of service. When the person serving process is unable to serve a copy of the process within sixty (60) days from issuance of the process by the clerk of court, the person serving process shall endorse that fact and the reason therefor on the process and return the process and copies to the clerk, who shall make the appropriate entry on the docket sheet and the electronic record relating to the action. Failure to make service within the sixty-(60-) day period and failure to make proof of service do not affect the validity of service perfected beyond that period.</p> <p>(2) Service by certified mail.</p> <p>(A) When proper. When the plaintiff files a written request with the clerk for service by certified mail, service of process shall be made by that method. Alternatively, the attorney or party filing the process and complaint may initiate service by certified mail as provided in this rule.</p> <p>(B) How served.</p>					
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	<p>(i) In the event of service by certified mail by the clerk, the clerk shall place a copy of the process and complaint or other document to be served in an envelope and shall address the envelope to the person to be served with instructions to forward. In the case of an entity within the scope of one of the subdivisions of Rule 4(c), the addressee shall be a person described in the appropriate subdivision. The clerk shall affix adequate postage and place the sealed envelope in the United States mail as certified mail with instructions to forward, return receipt requested, with instructions to the delivering postal employee to show to whom delivered, date of delivery, and address where delivered. The case number of the case in which the pleading has been filed shall be included on the return receipt. The clerk shall forthwith enter the fact of mailing on the docket sheet of the action and make a similar entry when the return receipt is received.</p> <p>(ii) Alternatively, the attorney or party filing the process and complaint or other document to be served may obtain a copy of the filed pleading from the clerk or, if the pleading was filed electronically, use the copy returned electronically by the clerk. The attorney or party shall then place that copy of the process and complaint or other document to be served in an envelope and address the envelope to the person to be served with instructions to forward. In the case of an entity within the scope of one of the subdivisions of Rule 4(c), the addressee shall be a person described in the appropriate subdivision. The attorney or</p>					
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	<p>party shall affix adequate postage and place the sealed envelope in the United States mail as certified mail with instructions to forward, return receipt requested, with instructions to the delivering postal employee to show to whom delivered, date of delivery, and address where delivered. The return receipt shall be addressed to the clerk of the court issuing the process and shall identify the case number of the case in which the pleading has been filed. Upon mailing, the attorney or party shall immediately file with the court an "Affidavit of Certified Mailing of Process and Complaint." That affidavit shall verify that a filed copy of the process and complaint or other document to be served has been mailed by certified mail in accordance with this rule.</p> <p>(C) When effective. Service by certified mail shall be deemed complete and the time for answering shall run from the date of delivery to the named addressee or the addressee's agent as evidenced by signature on the return receipt. Within the meaning of this subdivision, "agent" means a person or entity specifically authorized by the addressee to receive the addressee's mail and to deliver that mail to the addressee. Such agent's authority shall be conclusively established when the addressee acknowledges actual receipt of the summons and complaint or the court determines that the evidence proves the addressee did actually receive the summons and complaint in time to avoid a default. An action shall not be dismissed for improper service of process unless the service failed to inform the defendant of the action within time to avoid</p>					
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	<p>a default. In the case of an entity included in one of the provisions of Rule 4(c), "defendant," within the meaning of this subdivision, shall be such a person described in the applicable subdivision of 4(c).</p> <p>(D) Failure of delivery. Failure to make service within the sixty- (60-) day period and failure to make proof of service do not affect the validity of service perfected beyond that period.</p> <p>(3) Service by Commercial Carrier</p> <p>(A) When Proper.</p> <p>(i) When the plaintiff files a written request with the clerk for service by commercial carrier, service of process shall be made by that method. For purposes of this subdivision, "commercial carrier" means only those commercial carriers approved by the Administrative Director of Courts, pursuant to Rule 45 of the Alabama Rules of Judicial Administration. When service by commercial carrier is initiated by the clerk, the clerk's choice of commercial carrier is limited to those approved by the Administrative Director of Courts.</p> <p>(ii) Alternatively, the attorney or party filing the process and complaint may initiate service by commercial carrier as provided in this rule. For purposes of this subdivision, "commercial carrier" means any foreign or domestic business entity that is not a party to the civil action; that has as its primary purpose the delivery of letters and parcels of any type; and that will deliver to the sender a written or electronic receipt showing to whom the process and complaint were delivered, the written or electronic signature of the recipient, the date of delivery, the address where delivered, and the person or entity</p>					
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	<p>effecting delivery.</p> <p>(B) How served.</p> <p>(i) In the event of service by commercial carrier initiated by the clerk, the clerk shall deliver to the commercial carrier a copy of the process and complaint or other document to be served in an envelope and shall address the envelope to the person to be served. In the case of an entity within the scope of one of the subdivisions of Rule 4(c), the addressee shall be a person described in the appropriate subdivision. The clerk shall provide to the commercial carrier payment of the required shipping costs, with instructions to the commercial carrier to provide to the clerk a written or electronic receipt showing to whom the process and complaint or other document to be served was delivered, the written or electronic signature of the recipient, the date of delivery, the address where delivered, and the person or entity effecting delivery. The clerk shall forthwith enter the fact of delivery to the commercial carrier on the docket sheet of the action and make a similar entry when a delivery receipt is received.</p> <p>(ii) Alternatively, the attorney or party filing the process and complaint or other document to be served may obtain a copy of the filed pleading from the clerk or, if the pleading was filed electronically, use the copy returned electronically by the clerk. The attorney or party shall then deliver to the commercial carrier that copy of the process and complaint or other document to be served in an envelope and shall address the envelope to the person to be served. In the case of an entity within the scope of one of the subdivisions of</p>					
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	<p>Rule 4(c), the addressee shall be a person described in the appropriate subdivision. The attorney or party shall provide to the commercial carrier payment of the required shipping costs, with instructions to the commercial carrier to provide to the attorney or party a written or electronic receipt showing to whom the process and complaint or other document to be served was delivered, the written or electronic signature of the recipient, the date of delivery, the address where delivered, and the person or entity effecting delivery. Upon delivery to the commercial carrier, the attorney or party shall immediately file with the court an "Affidavit of Delivery to a Commercial Carrier of Process and Complaint." That affidavit shall verify that a filed copy of the process and complaint or other document to be served has been delivered to a commercial carrier in accordance with this rule.</p> <p>(C) When effective. Service by commercial carrier shall be deemed complete and the time for answering shall run from the date of delivery as evidenced by the commercial carrier's written or electronic receipt showing to whom the process and complaint or other document to be served was delivered, the written or electronic signature of the recipient, the date of delivery, the address where delivered, and the person or entity effecting delivery. When service is initiated under Rule 4(i)(3)(B)(ii), the attorney or party shall, within ten (10) days after receiving the commercial carrier's written or electronic delivery receipt, file with the court a "Proof of Service by Commercial Carrier" that identifies the commercial carrier and explains the method of service, states the</p>					
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	<p>name of the person served, notes the date of delivery, and has attached a printed copy of the commercial carrier's written or electronic delivery receipt or other evidence of delivery. Within the meaning of this subdivision, "agent" means a person or entity specifically authorized by the addressee to receive the addressee's commercial-carrier deliveries and to deliver them to the addressee. Such agent's authority shall be conclusively established when the addressee acknowledges actual receipt of the summons and complaint or the court determines that the evidence proves the addressee did actually receive the summons and complaint in time to avoid a default. An action shall not be dismissed for improper service of process unless the service failed to inform the defendant of the action within time to avoid a default. In the case of an entity included in one of the provisions of Rule 4(c), "defendant," within the meaning of this subdivision, shall be such a person described in the applicable subdivision of 4(c).</p> <p>(D) Failure of delivery. Failure to make service within sixty (60) days from issuance of the process by the clerk of the court and failure to make proof of service do not affect the validity of service perfected beyond that period.</p> <p>(dc) District court rule. Rule 4 applies in the district courts.</p>					
<p>ALASKA</p> <p>Protective Orders</p>	<p>Sec. 18.66.160. Service of process.</p> <p>(a) Unless, on the record in court, the person has already been provided a copy of the court's order, process issued under this chapter shall be promptly served and executed. If process is to be served upon a person believed to be present or residing in a municipality, as defined in AS</p>	<p>Petitions, ex parte orders, and final orders can be served by any reasonable means.</p>	<p>Service must be made promptly. Statute does not provide a specific deadline.</p>	<p>Statute is silent.</p>	<p>The Court will order that a peace officer execute personal service onto the Respondent. If after a "diligent inquiry" personal service</p>	<p>If the respondent is believed to live in a municipality or an unincorporated community, service may be made by a peace officer of that</p>

<p><u>Alaska Stat. § 18.66.160</u></p> <p>Alaska R. Civ. P. 4(e)</p>	<p>29.71.800, or in an unincorporated community, process shall be served by a peace officer of that municipality or unincorporated community who has jurisdiction within the area of service. If a peace officer of the municipality or unincorporated community who has jurisdiction is not available, a superior court, district court, or magistrate may designate any other peace officer to serve and execute process. A state peace officer shall serve process in any area that is not within the jurisdiction of a peace officer of a municipality or unincorporated community. A peace officer shall use every reasonable means to serve process issued under this chapter. A judge may not order a peace officer to serve a petition that has been denied by the court.</p> <p>(b) Service of process under (a) of this section does not preclude a petitioner from using any other available means to serve process issued under this chapter.</p> <p>(c) Fees for service of process may not be charged in a proceeding seeking only the relief provided in this chapter.</p> <p>(e) Other Service. — When it shall appear by affidavit of a person having knowledge of the facts filed with the clerk that after diligent inquiry a party cannot be served with process under subsections (d) or (h) of this rule, service shall be made by posting on the Alaska Court System’s legal notice website and/or as otherwise directed by the court as provided in this subsection. The party who seeks to have service made under this subsection shall include in the affidavit of diligent inquiry a discussion of whether other methods of service listed in paragraph (e)(3) may be more likely to give the absent party actual notice. In adoption cases, service by posting on the Alaska Court System’s legal notice website or by publication will be allowed only if ordered by</p>				<p>can’t be made, service can be made by posting on Alaska’s Court System’s legal notice website and/or as otherwise directed by the court. After posting on the website, some acceptable forms of service are e-mailing the party or posting notice to their social networking account.</p> <p>Alaska R. Civ. P. 4(e)</p>	<p>municipality or community. If no such peace officer is available, a superior court, district court, or magistrate may designate any other peace officer to complete the service.</p> <p>If the respondent is to be served in an area where no local peace officer has jurisdiction, service will be made by a state peace officer.</p>
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	<p>the court for compelling reasons.</p> <p>(1) Diligent Inquiry. — Inquiry as to the absent party’s whereabouts shall be made by the party who seeks to have service made, or by the party’s attorney actually entrusted with the conduct of the action, or by the agent of the attorney. It shall be made of any person who the inquirer has reason to believe possesses knowledge or information as to the absent party’s residence or address or the matter inquired of. Unless otherwise ordered by the court, diligent inquiry shall include a reasonable effort to search the internet for the whereabouts of the absent party. The inquiry shall also be undertaken in person or by letter, and the inquirer shall state that an action has been or is about to be commenced against the party inquired for, that the object of the inquiry is to give such party notice of the action in order that such party may appear and defend it. When the inquiry is made by letter, postage shall be enclosed sufficient for the return of an answer. The affidavit of inquiry shall be made by the inquirer. It shall fully specify the inquiry made, of what persons and in what manner it was made, and a description of any efforts that were made to search the internet, so that by the facts stated therein it may appear that diligent inquiry has been made for the purpose of effecting actual notice.</p> <p>(2) Service by Posting on the Alaska Court System’s Legal Notice Website. — A notice shall be continuously posted for four consecutive weeks on the Alaska Court System’s legal notice website. Prior to the last week of posting, the party who seeks to have service made must send the absent party a copy of the notice and the complaint or the pleading (A) by registered or certified mail, with return receipt requested, with postage prepaid, and (B) by regular first class mail. The notice must be addressed in care of the</p>					
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	<p>absent party's residence or the place where the party usually receives mail, unless it shall appear by affidavit that the absent party's residence or place is unknown or cannot be determined after inquiry.</p> <p>(3) Additional Service by Other Methods. — In addition to the service required under paragraph (2), the court, in its discretion, may require service of process to be made upon an absent party in any other manner that is reasonably calculated to give the party actual notice of the proceedings and an opportunity to be heard. The method of service could include publication of the notice in a print or online newspaper or other publication at least once a week for four consecutive weeks; service of the notice to the absent party's e-mail account; posting of the notice to the absent party's social networking account; physically posting a copy of the notice and complaint on a public bulletin board or on the front door of the absent party's place of residence; or any method the court determines to be reasonable and appropriate.</p> <p>(4) Mailing Required. — If service is allowed by any method listed in paragraph (3), the party who seeks to have service made must also send the absent party a copy of the notice and the complaint by mail as required in paragraph (2). Proof of mailing shall be made by affidavit of a deposit in a post office of the copies of the notice and the complaint or other pleadings.</p> <p>(5) Form and Contents of Notice — Time. — The notice referred to in paragraphs (2), (3) and (6) shall be in the form of a summons. It shall state briefly the nature of the action, the relief demanded, and why the party to whom it is addressed is made a party to the action. Where the action concerns real property or where real property of a party has been attached, the notice shall set forth a legal description of the property,</p>					
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	<p>shall state the municipality or district in which it is located, and the street or road on which the property is situated, and if the property is improved, it shall state the street number of the same. Where personal property of a party has been attached, the notice shall generally describe the property. If a mortgage is to be foreclosed, the notice shall state the names of all parties thereto and the dates that the mortgage was executed. The notice shall specify the time within which the absent party has to appear or answer or plead, which shall not be less than 20 days after personal service or, if service is made by publication, not less than 30 days after the last date of publication, and shall state the effect of a failure to appear or answer or plead. If the absent party does not appear or answer or plead within the time specified within the notice, the court may proceed as if such party had been served with process within the state.</p> <p>(6) Proof of Service.</p> <p>(A) Service by Posting on the Alaska Court System's Legal Notice Website. — If service is made by posting to the Alaska Court System's Legal Notice Website, proof of posting shall be made by certification of the court clerk. A printed copy of the posted notice and the dates of posting shall be attached to the clerk's certificate.</p> <p>(B) Service by Publication in a Printed Newspaper. — If service is made by publication in a printed newspaper, proof of publication shall be made by the affidavit of the newspaper's publisher, printer, manager, foreman, or principal clerk, or by the certificate of the attorney for the party at whose instance the service was made. A printed copy of the published notice with the name of the newspaper and dates of publication marked therein shall be attached to the affidavit or certificate.</p> <p>(C) Service by Posting to an Online Publication</p>					
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	<p>Website. — If service is made by posting to an online publication website, proof of posting shall be made by affidavit of the online publication’s publisher, printer, manager, foreman, or principal clerk, or by the certificate of the attorney for the party at whose instance the service was made. A printed copy of the posted notice with the name of the online publication and dates of posting marked therein shall be attached to the affidavit or certificate.</p> <p>(D) Service by E-mail or Posting to a Social Networking Account. — If service is made by e-mail or posting to a social networking account, proof of e-mail transmission or electronic posting shall be made by affidavit. If service is made by e-mail, a copy of the sent e-mail transmission shall be attached to the affidavit. If service is made by posting a notice on the absent party’s social networking account, a screen print of the posting shall be attached to the affidavit.</p> <p>(E) Service by Posting to a Public Bulletin Board or on the Front Door of the Absent Party’s Place of Residence. — If service is made by posting to a public bulletin board or on the front door of the absent party’s place of residence, proof of posting shall be made by affidavit of posting of the notice and the complaint or other pleadings.</p> <p>(F) Other Service by Court Order. — If the court has allowed service of process to be made upon an absent party in any other manner calculated to give actual notice, proof of service shall be made as directed by the court.</p>					
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<p>AMERICAN SAMOA</p> <p>Civil Orders for Protection</p> <p>Am. Samoa Code Ann. § 47.0204</p> <p>Am. Samoa Code Ann. § 47.0206</p> <p>T.C.R.C.P. Rule 4</p>	<p>Am. Samoa Code Ann. § 47.0203(a)-(b)(2) Emergency order for protection—Available relief—Availability of judge or court officer—Expiration of order.</p> <p>(a) A court may issue a written or oral emergency order for protection ex parte when a law enforcement officer states to the court in person or by telephone, and the court finds reasonable grounds to believe, that the petitioner is in immediate danger of domestic or family violence based on an allegation of a recent incident of domestic or family violence by a family or household member.</p> <p>(b) A law enforcement officer who receives an oral order for protection from a court shall:</p> <p>(2) Serve a copy on the respondent;</p> <p>Am. Samoa Code Ann. § 47.0204(d)(1) Order for protection—Modification of orders—Relief available ex parte—Relief available after hearing—Duties of the Court—Duration or order.</p> <p>(d) The Court shall:</p> <p>(1) Cause the order to be delivered to the appropriate authority for service.</p> <p>Am. Samoa Code Ann. § 47.0206 Court costs and fees.</p> <p>Fees for filing and service of process must not be charged for any proceeding seeking only the relief provided in this chapter.</p> <p>T.C.R.C.P. Rule 4</p> <p>(a) Summons: Insurance. Upon the filing of the complaint the clerk shall forthwith issue a summons and deliver it for service to the marshal or to such person designated under (c) below. Upon request of the plaintiff separate or additional summons shall issue against any defendants.</p>	<p>Personal delivery to the respondent or leaving a copy at his or her home or usual place of dwelling.</p>	<p>Statute is unclear.</p>	<p>Personal delivery of service is required.</p>	<p>Statute is silent.</p>	<p>Marshal of the court or any person above the age of 18 who is not a party to the case.</p>
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	<p>(b)Same:Form. The summons shall be signed by the clerk, be under the seal of the court, contain the name of the court and the names of the parties, be directed to the defendant, state the name and address of the plaintiff's attorney, if any, otherwise the plaintiff's address, and the time within which these rules require the defendant to appear and defend, and shall notify him that in case of his failure to do so judgment by default will be rendered against him for the relief demanded in the complaint. The summons shall be in English and Samoan.</p> <p>(c)By Whom Served. Service of all process shall be made by the marshal of the court or by any person who is at least 18 years of age and not a party to the action.</p> <p>(d)Summons: Personal Service. The summons and complaint shall be served together. The plaintiff shall furnish the person making service with such copies as are necessary. Service shall be made as follows:</p> <p>(1) Upon an individual other than an infant or an incompetent person, by delivering a copy of the summons and of the complaint to him personally or by leaving copies thereof at his dwelling house or usual place of abode with some person of suitable age and discretion then residing therein or by delivering a copy of the summons and of the complaint to an agent authorized by appointment or by law to receive service of process.</p>					
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<p>ARIZONA</p> <p>Domestic Violence Order of Protection</p> <p>Ariz. Rev. Stat. § 13-3602</p> <p>Ariz. R. Civ. P. 4</p> <p>Ariz. R. Civ. P. 4.1(d)</p>	<p><u>Ariz. Rev. Stat. § 13-3602 (D), (I)- (K), (N)- (Q), (V) Order of protection; procedure; contents; arrest for violation; penalty; protection order from another jurisdiction</u></p> <p>D. A fee shall not be charged for filing a petition under this section or for service of process. Each court shall provide, without charge, forms for purposes of this section for assisting parties without counsel. The court shall make reasonable efforts to provide the appropriate information to both parties on emergency and counseling services that are available in the local area.</p> <p>I. After granting an order of protection, the court shall provide the order to a law enforcement agency or a constable as set forth in subsection J of this section for service or to an entity that is authorized in subsection K of this section to serve process. The agency or entity serving the order shall provide confirmation of service to the plaintiff as soon as practicable. If service of an order cannot be completed within fifteen days after the agency or entity receives the order, the agency or entity that is attempting service shall notify the plaintiff and continue to attempt service. This notification may be completed by a victim notification system, if available.</p> <p>J. If the order of protection is provided to a law enforcement agency or a constable, service of an order of protection is as follows:</p> <ol style="list-style-type: none"> 1. For each order of protection that is issued by a municipal court, if the defendant can be served within that city or town, the order shall be served by the law enforcement agency of that city or town. If the order can 	<p>Statute is silent.</p>	<p>The order expires if the defendant is not served within one year.</p>	<p>E-service is possible only after parties both appear and either the party is an attorney or the party consents to that method of service, or if the court orders service in that manner. Ariz. R. Civ. P. 5(D), (E)</p>	<p>Statute is silent.</p>	<p>If the order is not given to a law enforcement agency, it can be served by a sheriff, sheriff's deputy, constable, constable's deputy, certified private process server, person specially appointed by the court, peace officer or correctional officer.</p> <p>If the order is given to a law enforcement agency or a constable, service must be as follows:</p> <p>If the order is issued by a municipal court, then, if possible, the order will be served by the law enforcement agency of that city or town. If the order can be served in another city or town, it will be served by that law enforcement agency. If the order can't be served in any city or town, it will be served by a sheriff or constable wherever the defendant can be found.</p> <p>If the order is issued by a justice of the peace, the order will be served</p>
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	<p>be served in another city or town, the order shall be served by the law enforcement agency of that city or town. If the order cannot be served within a city or town, the order shall be served by the sheriff or constable of the county in which the defendant can be served.</p> <p>2. For each order of protection that is issued by a justice of the peace, the order of protection shall be served by the sheriff or constable of the county in which the defendant can be served or by a municipal law enforcement agency.</p> <p>3. For each order of protection that is issued by a superior court judge or commissioner, the order of protection shall be served by the sheriff or constable of the county where the defendant can be served.</p> <p>K. In addition to persons authorized to serve process pursuant to rule 4(d) of the Arizona rules of civil procedure, a peace officer or a correctional officer as defined in section 41-1661 who is acting in the officer's official capacity may serve an order of protection that is issued pursuant to this section. Service of the order of protection has priority over other service of process that does not involve an immediate threat to the safety of a person.</p> <p>N. An order of protection that is not served on the defendant within one year after the date that the order is issued expires. An order is effective on the defendant on service of a copy of the order and petition. An order expires two years after service on the defendant. A modified order is effective on service and expires two years after service of the initial order and petition.</p>					<p>by the sheriff, constable, or municipal law enforcement agency of the jurisdiction where the defendant can be found.</p> <p>If the order is issued by a superior court judge or commissioner, the order will be served by the sheriff or constable of the county where the defendant can be found.</p>
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	<p>O. A supplemental information form that is used by the court or a law enforcement agency solely for the purposes of service of process on the defendant and that contains information provided by the plaintiff is confidential.</p> <p>P. Each affidavit, declaration, acceptance or return of service shall be filed as soon as practicable but not later than seventy-two hours, excluding weekends and holidays, with the clerk of the issuing court or as otherwise required by court rule. This filing shall be completed in person, electronically or by fax.</p> <p>Q. The supreme court shall maintain a central repository for orders of protection. Within twenty-four hours after the affidavit, declaration, acceptance or return of service has been filed, excluding weekends and holidays, the court from which the order or any modified order was issued shall enter the order and proof of service into the supreme court's central repository for orders of protection. The supreme court shall register the order with the national crime information center. The effectiveness of an order does not depend on its registration, and for enforcement purposes pursuant to section 13-2810, a copy of an order of the court, whether or not registered, is presumed to be a valid existing order of the court for a period of two years from the date of service of the order on the defendant.</p> <p>V. A valid protection order that is related to domestic or family violence and that is issued by a court in another state, a court of a United States territory or a tribal court shall be accorded full faith and credit and shall be enforced as if it were issued in this state for as</p>					
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	<p>long as the order is effective in the issuing jurisdiction. For the purposes of this subsection:</p> <p>1. A protection order includes any injunction or other order that is issued for the purpose of preventing violent or threatening acts or harassment against, contact or communication with or physical proximity to another person. A protection order includes temporary and final orders other than support or child custody orders that are issued by civil and criminal courts if the order is obtained by the filing of an independent action or is a pendente lite order in another proceeding. The civil order shall be issued in response to a complaint, petition or motion that was filed by or on behalf of a person seeking protection.</p> <p>2. A protection order is valid if the issuing court had jurisdiction over the parties and the matter under the laws of the issuing state, a United States territory or an Indian tribe and the person against whom the order was issued had reasonable notice and an opportunity to be heard. If the order is issued ex parte, the notice and opportunity to be heard shall be provided within the time required by the laws of the issuing state, a United States territory or an Indian tribe and within a reasonable time after the order was issued.</p> <p>3. A mutual protection order that is issued against both the party who filed a petition or a complaint or otherwise filed a written pleading for protection against abuse and the person against whom the filing was made is not entitled to full faith and credit if either:</p> <p>(a) The person against whom an initial order was sought has not filed a cross or</p>					
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	<p>counter petition or other written pleading seeking a protection order.</p> <p>(b) The issuing court failed to make specific findings supporting the entitlement of both parties to be granted a protection order.</p> <p>4. A peace officer may presume the validity of and rely on a copy of a protection order that is issued by another state, a United States territory or an Indian tribe if the order was given to the officer by any source. A peace officer may also rely on the statement of any person who is protected by the order that the order remains in effect. A peace officer who acts in good faith reliance on a protection order is not civilly or criminally liable for enforcing the protection order pursuant to this section.</p> <p><u>Ariz. R. Civ. P. 4 (d) and (i) Summons</u></p> <p>(d) Who may serve process.</p> <p>(1) Generally. -- Service of process must be made by a sheriff, a sheriff's deputy, a constable, a constable's deputy, a private process server certified under the Arizona Code of Judicial Administration § 7-204 and Rule 4(e), or any other person specially appointed by the court. Service of process may also be made by a party or that party's attorney if expressly authorized by these rules.</p> <p>(2) Special appointment.</p> <p>(A) Qualifications. -- A specially appointed person must be at least 21 years of age and must not be a party, an attorney, or an employee of an attorney in the action in which process is to be served.</p> <p>(B) Procedure for appointment. -- A party may request a special appointment</p>					
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	<p>to serve process by filing a motion with the presiding superior court judge in the county where the action is pending. The motion must be accompanied by a proposed order. If the proposed order is signed, no minute entry will issue. Special appointments should be granted freely, are valid only for the cause specified in the motion, and do not constitute an appointment as a certified private process server.</p> <p>(i) Time limit for service. -- If a defendant is not served with process within 90 days after the complaint is filed, the court--on motion, or on its own after notice to the plaintiff--must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period. This Rule 4(i) does not apply to service in a foreign country under Rules 4.2(i), (j), (k), and (l).</p> <p>Ariz. R. Civ. P. 4.1(d) (d) Serving an individual. Unless Rule 4.1 (c), (e), (f), or (g) applies, an individual may be served by: (1) delivering a copy of the summons and the pleading being served to that individual personally; (2) leaving a copy of each at that individual's dwelling or usual place of abode with someone of suitable age and discretion who resides there; or (3) delivering a copy of each to an agent authorized by appointment or by law to receive service of process.</p>					
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<p>ARKANSAS</p> <p>Domestic Violence Order of Protection</p> <p>Ark. Code Ann. § 9-15-204</p> <p>Ark. R. Civ. P. 4</p> <p>Ark. R. Civ. P. 5</p> <p>Ark. Code Ann. § 9-15-302</p>	<p><u>Ark. Code Ann. § 9-15-204(b) Hearing -- Service</u></p> <p>(b)</p> <p>(1) Service of a copy of the petition, the ex parte temporary order of protection, if issued, and notice of the date and place set for the hearing described in subdivision (a)(1) of this section shall be made upon the respondent:</p> <p>(A) At least five (5) days before the date of the hearing; and</p> <p>(B) In accordance with the applicable rules of service under the Arkansas Rules of Civil Procedure.</p> <p>(2) If service cannot be made on the respondent, the court may set a new date for the hearing.</p> <p><u>Ark. R. Civ. P. 4(c), (f)(1)-(4), (g), (i) Summons and Service of Process</u></p> <p>(c) Process: Defined; By Whom Served.</p> <p>(1) For purposes of this rule, the term “process” means the summons and a copy of the complaint, which shall be served together. The plaintiff or the plaintiff's attorney shall furnish the person making service with as many copies as are necessary.</p> <p>(2) The following persons are authorized to serve process:</p> <p>(A) the sheriff of the county where the service is to be made, or his or her deputy, unless the sheriff is a party to the action;</p> <p>(B) any person appointed pursuant to Administrative Order No. 20 for the purpose of serving summons by either the court in which the action is filed or a court in the county in which service is to be made;</p> <p>(C) any person authorized to serve</p>	<p>Statute is silent on the methods of serving final orders.</p> <p>Petitions and ex parte orders can be served as follows:</p> <p>Service of represented defendants:</p> <p>If the defendant is represented by an attorney, service must be made on the attorney unless the court orders otherwise.</p> <p>Service of unrepresented defendants inside the state:</p> <p>Any defendant can be served by certified mail, first class mail, commercial delivery company, or other methods upon order by the court.</p> <p>In addition, defendants may be served in the following ways:</p> <p>If the defendant is at least 18 and is not</p>	<p>A petition and ex parte order (if applicable) must be served at least five days before the date of the hearing on the final order.</p> <p>If service can't be made in time, the court may reschedule the hearing.</p>	<p>Statute is silent.</p>	<p>Statute is silent.</p>	<p>Service can be made by:</p> <p>A sheriff or sheriff's deputy (unless the sheriff is a party);</p> <p>A person appointed for the purpose of serving process in either the court where the petition was filed or the court in the county where service will be made;</p> <p>If service is made outside the state, a person authorized to serve process by the law of the jurisdiction where service happens;</p> <p>If service is made by mail or commercial delivery, the plaintiff or the plaintiff's attorney of record.</p>
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	<p>process under the law of the place outside this state where service is made; and</p> <p>(D) in the event of service by mail or commercial delivery company pursuant to subdivision (g)(1) and (2) of this rule, the plaintiff or an attorney of record for the plaintiff.</p> <p>(f) Personal Service Inside the State. -- Service of process shall be made inside the state as follows:</p> <p>(1) Natural Persons. --If the defendant is a natural person at least 18 years of age or emancipated by court order, by:</p> <p>(A) delivering a copy of the process to the defendant personally, or if he or she refuses to receive it after the process server makes his or her purpose clear, by leaving the papers in close proximity to the defendant;</p> <p>(B) leaving the process with any member of the defendant's family at least 18 years of age at a place where the defendant resides; or</p> <p>(C) delivering the process to an agent authorized by appointment or by law to receive service of summons on the defendant's behalf.</p> <p>(2) Minors. --If a defendant is less than 18 years of age and has not been emancipated by court order, by delivering the process to the defendant's father, mother, or guardian or, if there be none in the state, to any person at least 18 years of age in whose care or control the minor may be or with whom the minor resides.</p> <p>(3) Incapacitated Persons. --If a plenary, limited, or temporary guardian has been appointed for an incapacitated person, or if a conservator has been appointed for a person who by reason of advanced age or</p>	<p>incapacitated or incarcerated, they can be served by:</p> <ol style="list-style-type: none"> 1. Personal delivery, or leaving it in close proximity once the server makes their purpose clear and the defendant refuses to accept; or 2. Leaving the process with a member of the defendant's family who is at least 18 years old; or 3. Delivering the process to an authorized agent. <p>If the defendant is a minor, they can be served by delivering the process to their parent or guardian. If they have no parent or guardian within the state, they can be served by delivering the process to any person at least 18 years old who cares for or lives with the</p>				
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	<p>physical disability is unable to manage his or her property, service shall be on the person and the guardian or conservator.</p> <p>(4) Incarcerated Persons. --Service on a person incarcerated in any jail, penitentiary, or other correctional facility in this state shall be on the administrator of the institution, who shall promptly deliver the process to the incarcerated person. A copy of the process shall also be sent to the incarcerated person by first-class mail and marked as "legal mail" and, unless the court otherwise directs, to his or her spouse, if any.</p> <p>(g) Alternative Methods of Service. --In addition to the methods of service described in subdivision (f) of this rule, process may be served on any defendant except the United States and any of its agencies, officers, or employees by the methods enumerated in this subdivision.</p> <p>(1) Service by Mail. --The plaintiff or an attorney of record for the plaintiff shall serve process by mail only as provided in this paragraph.</p> <p>(A)</p> <p>(i) Certified mail shall be addressed to the person to be served with a return receipt requested and delivery restricted to the addressee or the agent of the addressee. The addressee must be a natural person specified by name, and the agent of the addressee must be authorized in accordance with U.S. Postal Service regulations. Notwithstanding the foregoing, service on the registered agent of a corporation or other organization may be made by certified mail with a return receipt requested</p>	<p>defendant.</p> <p>If the defendant is an adult who has had a guardian or conservator appointed for them, service can be made by delivering the process to both the defendant and the guardian or conservator.</p> <p>If the defendant is incarcerated, service can be made on the administrator of the institution (who must deliver it to the defendant), as well as sending a copy to both the defendant and their spouse.</p> <p>Service of unrepresented defendants outside the state:</p> <p>If the defendant is outside the state, service can be made in the following ways:</p> <ol style="list-style-type: none"> 1. Personal service in the ways 				
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	<p>(ii) Service pursuant to this paragraph (A) shall not be the basis for the entry of a judgment by default unless the record contains a return receipt signed by the addressee or the agent of the addressee or a returned envelope, postal document; a United States Postal Service Form 3811 (Domestic Return Receipt--green card) executed as provided in the United States Postal Service procedures in place at the time of service; or an affidavit by a postal employee reciting or showing refusal of the mailed process by the addressee. Failure to claim mail does not constitute refusal for purposes of this paragraph.</p> <p>(iii) If delivery of mailed process is refused, the plaintiff or attorney making service, promptly on receipt of notice of the refusal, shall mail to the defendant by first-class mail a copy of the process and a notice that despite the refusal the case will proceed and that judgment by default may be entered for the relief demanded in the complaint unless the defendant appears to defend the suit.</p> <p>(iv) A judgment by default may be set aside pursuant to Rule 55(c) if the addressee demonstrates to the court that the return receipt was signed or delivery was refused by someone other than the addressee or the agent of the addressee.</p> <p>(B)</p> <p>(i) First-class mail, postage prepaid, shall be addressed to the person to be served, together with two copies of a notice and acknowledgment conforming substantially to a form</p>	<p>allowed within the state;</p> <p>2. Service in the ways allowed by the out-of-state jurisdiction;</p> <p>3. Mail or commercial delivery company;</p> <p>4. Service in ways defined by treaty;</p> <p>5. Service by other methods as ordered by the court.</p>				
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	<p>adopted by the Supreme Court and a return envelope, postage prepaid, addressed to the sender.</p> <p>(ii) If no acknowledgment of service is received by the sender within 20 days after the date of mailing, service of process shall be made in a manner other than by mail or by commercial delivery company.</p> <p>(iii) Unless good cause is shown for not doing so, the court shall order the payment of the costs of service by the person served if that person does not complete and return, within 20 days after mailing, the notice and acknowledgment of receipt of summons. The notice and acknowledgment of receipt of process shall be executed under oath or affirmation.</p> <p>(2) Service by Commercial Delivery Company. --The plaintiff or an attorney of record for the plaintiff shall serve process by commercial delivery company only as provided in this paragraph.</p> <p>(A) The documents must be addressed to the person to be served and delivered by a commercial delivery company that (1) obtains signatures of recipients, (2) maintains permanent records of actual delivery, and (3) has been approved by the circuit court in which the action is filed or in the county where service is to be made.</p> <p>(B) The process must be delivered to the defendant or an agent authorized to receive service of process on behalf of the defendant. The signature of the defendant or agent must be obtained.</p> <p>(C)</p> <p>(i) Service pursuant to this paragraph</p>					
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	<p>(2) shall not be the basis for a judgment by default unless the record reflects actual delivery on, and the signature of, the defendant or agent, or an affidavit by an employee of an approved commercial delivery company reciting or showing refusal of the process by the defendant or agent.</p> <p>(ii) If delivery of process is refused, the plaintiff or attorney making the service, promptly on receipt of notice of the refusal, shall mail to the defendant by first class mail a copy of the process and a notice that despite the refusal the case will proceed and that judgment by default may be entered for the relief demanded in the complaint unless the defendant appears to defend the suit.</p> <p>(iii) Any judgment by default may be set aside pursuant to Rule 55(c) if the court finds that someone other than the defendant or agent signed the receipt or refused the delivery or that the commercial delivery company had not been approved as required by this paragraph.</p> <p>(3) Service by Warning Order. --If the plaintiff seeks a judgment that affects or may affect the rights of persons who need not be subject personally to the jurisdiction of the court, service may be by warning order issued by the clerk. On the filing by the plaintiff or his or her attorney of an affidavit showing that, after diligent inquiry, the identity or whereabouts of the defendant remains unknown, the clerk shall issue a warning order to be published in a newspaper of general circulation as described in paragraph (B) or posted at the courthouse as provided in paragraph (C).</p>					
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	<p>(A) The warning order shall state the caption of the pleadings; briefly describe the nature of the action and the relief sought; include, if applicable, a description of the property or other res to be affected by the judgment; and warn the defendant or interested person to appear within 30 days from the date of first publication of the warning order or face entry of judgment by default or be otherwise barred from asserting his or her interest.</p> <p>(B)</p> <p>(i) The party seeking judgment shall cause the warning order to be published weekly for two consecutive weeks in a newspaper having general circulation in the county where the action is filed and to be sent, with a copy of the complaint, to the defendant or interested person at his or her last known address by certified mail as provided in paragraph (1)(A)(i) of this subdivision.</p> <p>(ii) As used in this subdivision, the term "newspaper" means a printed publication in the English language of no less than four pages that has been disseminated without interruption at least once a week for the preceding 12 months in the county where the action has been filed, holds a second-class mailing permit, has at least 50-percent paid circulation, and devotes an average of 40 percent of its space to news and information of interest to the general public.</p> <p>(iii) Proof of publication shall be by affidavit of the editor, proprietor, or business manager of the newspaper,</p>					
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	<p>with a copy of the published notice attached, stating the dates on which the notice appeared.</p> <p>(C) If the party seeking judgment has been granted leave to proceed as an indigent without prepayment of costs, the clerk shall conspicuously post the warning order for a continuous period of 30 days at the courthouse or courthouses of the county where the action is filed. The party seeking judgment shall cause the warning order and a copy of the complaint to be sent to the defendant or interested person at his or her last known address by certified mail as provided in paragraph (1)(A)(i) of this subdivision. Newspaper publication of the warning order is not required. Proof of posting shall be by a letter or other statement signed by the clerk stating the location and dates on which the warning order was posted.</p> <p>(D) No judgment by default shall be taken pursuant to this subdivision unless the party seeking the judgment or his or her attorney has filed with the court an affidavit stating that 30 days have elapsed since the warning order was first published or posted. The affidavit shall be accompanied by the required proof of publication or posting of the warning order. If a defendant or other interested person is known to the party seeking judgment or to his or her attorney, the affidavit shall also state that 30 days have elapsed since a letter enclosing a copy of the warning order and the complaint was mailed to the defendant or other interested person.</p> <p>(4) Service as Directed by Court Order. -- On motion without notice and after a</p>					
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	<p>showing by affidavit or other proof as the court may require that, despite diligent effort, service cannot be made by the methods authorized by this rule, the court may order service by any method or combination of methods reasonably calculated to apprise the defendant of the action, including service by warning order meeting the minimum requirements of paragraph (3)(A)-(D) of this subdivision</p> <p>(h) Service Outside the State. --Whenever the law of this state authorizes service outside this state, service, when reasonably calculated to apprise the defendant of the action, may be made:</p> <p>(1) By personal delivery in the same manner prescribed for service within this state;</p> <p>(2) In any manner prescribed by the law of the place in which service is made in an action in any of its courts of general jurisdiction;</p> <p>(3) By mail or commercial delivery company as provided in subdivision (g)(1) and (2) of this rule;</p> <p>(4) As directed by a foreign authority in response to a letter rogatory or pursuant to the provisions of any treaty or convention pertaining to the service of a document in a foreign country;</p> <p>(5) By any method or combination of methods as directed by order of the court on motion, without notice and after a showing by affidavit or other proof as the court may require that, despite diligent effort, service cannot be made by the methods authorized by this rule</p> <p>(i) Time Limit for Service.</p> <p>(1) If service of process is not made on a defendant within 120 days after the filing of the complaint or within the time period</p>					
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	<p>established by an extension granted pursuant to paragraph (2), the action shall be dismissed as to that defendant without prejudice on motion or on the court's initiative. If service is by mail or by commercial delivery company pursuant to subdivision (g)(1) and (2) of this rule, service shall be deemed to have been made for purposes of this subdivision on the date that the process was accepted or refused.</p> <p>(2) The court, on written motion and a showing of good cause, may extend the time for service if the motion is made within 120 days of the filing of the suit or within the time period established by a previous extension. To be effective, an order granting an extension must be entered within 30 days after the motion to extend is filed, by the end of the 120-day period, or by the end of the period established by the previous extension, whichever date is later.</p> <p>(3) This subdivision shall not apply to service in a foreign country pursuant to subdivision (h) of this rule or to complaints filed against unknown tortfeasors.</p> <p><u>Ark. R. Civ. P. 5(b) Service and filing of pleadings and other papers</u></p> <p>(b) Service: How Made.</p> <p>(1) Whenever under this rule or any statute service is required or permitted to be made upon a party represented by an attorney, the service shall be upon the attorney, except that service shall be upon the party if the court so orders or the action is one in which a final judgment has been entered and the court has continuing jurisdiction.</p> <p>(2) Except as provided in paragraph (3) of this subdivision, service upon the attorney or upon the party shall be made by</p>					
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	<p>delivering a copy to him or by sending it to him by regular mail or commercial delivery company at his last known address or, if no address is known, by leaving it with the clerk of the court. Delivery of a copy for purposes of this paragraph means handing it to the attorney or to the party; by leaving it at his office with his clerk or other person in charge thereof; or, if the office is closed or the person has no office, leaving it at his dwelling house or usual place of abode with some person residing therein who is at least 14 years of age. Service by mail is presumptively complete upon mailing, and service by commercial delivery company is presumptively complete upon depositing the papers with the company. When service is permitted upon an attorney, such service may be effected by electronic transmission, including e-mail, provided that the attorney being served has facilities within his or her office to receive and reproduce verbatim electronic transmissions. Service is complete upon transmission but is not effective if it does not reach the person to be served. Service by a commercial delivery company shall not be valid unless the company: (A) maintains permanent records of actual delivery, and (B) has been approved by the circuit court in which the action is filed or in the county where service is to be made.</p> <p>(3) If a final judgment or decree has been entered and the court has continuing jurisdiction, service upon a party by mail or commercial delivery company shall comply with the requirements of Rule 4(G)(1) and (2), respectively.</p> <p><u>Ark. Code Ann. § 9-15-302 (a)-(b) Full faith</u></p>					
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	<p><u>and credit</u></p> <p>(a) An order of protection shall be afforded full faith and credit by the courts of this state and shall be enforced by law enforcement as if it were issued in this state if the order of protection:</p> <p> (1) Meets the requirements of subsection (b) or subsection (c) of this section and is issued by a court of another state, a federally recognized Indian tribe, or a territory; or</p> <p> (2) Is a military order of protection as defined under § 5-53-134(f)(1).</p> <p>(b) An order of protection issued by a court of another state, a federally recognized Indian tribe, or a territory meets the requirements of this section if:</p> <p> (1) The court had jurisdiction over the parties and matters under the laws of the other state, the federally recognized Indian tribe, or the territory; and</p> <p> (2)</p> <p> (A) Reasonable notice and opportunity to be heard was given to the person against whom the order was sought sufficient to protect that person's right to due process.</p> <p> (B) In the case of ex parte orders, notice and opportunity to be heard must be provided within the time required by the laws or rules of the other state, the federally recognized Indian tribe, or the territory and, in any event, within a reasonable time after the order is issued sufficient to protect the due process rights of the party against whom the order is enforced.</p>					
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<p>CALIFORNIA</p> <p>Domestic Violence Restraining Order</p> <p>Cal. Fam. Code § 6271</p> <p>Cal. Fam. Code § 6383</p> <p>Cal. Fam. Code § 6384</p> <p>Cal Code Civ Proc §§ 415.20, 415.30(a), 415.50</p> <p>Cal Code Civ Proc § 527.6</p> <p>Cal Code Civ Proc § 1010.6</p>	<p><u>Cal. Fam. Code § 6271(a) Service, filing, and delivery of order; Entry of order into Department of Justice computer database system</u></p> <p>A law enforcement officer who requests an emergency protective order shall do all of the following:</p> <p>(a) Serve the order on the restrained person, if the restrained person can reasonably be located.</p> <p><u>Cal. Fam. Code § 6383(a)-(e), (g) Service of restraining or protective order by law enforcement officer; Verbal notice of order; Immunity</u></p> <p>(a) A temporary restraining order, emergency protective order, or an order issued after hearing pursuant to this part shall, on request of the petitioner, be served on the respondent, whether or not the respondent has been taken into custody, either by a law enforcement officer, excluding those defined in subdivision (a) of Section 830.5 of the Penal Code, who is present at the scene of reported domestic violence involving the parties to the proceeding or who receives a request from the petitioner to provide service of the order.</p> <p>(b) (1) The petitioner shall provide the officer with an endorsed copy of the order and a proof of service that the officer shall complete and transmit to the issuing court.</p> <p>(2) Service shall be provided pursuant to Section 6389 of the Family Code.</p> <p>(3) Notwithstanding any other law, a fee shall not be charged to the petitioner for service of an order described in subdivision (a).</p> <p>(4) If a firearm is obtained at the scene of a domestic violence incident or during service as provided in this section, law enforcement</p>	<p>Temporary restraining orders and emergency protective orders may be served personally by law enforcement officers present at the scene of reported domestic violence.</p> <p>If (1) the respondent is personally served with notice of a hearing on a final order, and (2) the terms of the final order (other than duration) are identical to the terms of an existing temporary or emergency order in the case, then the final order may be served by first-class mail.</p> <p>If the respondent has not been served but has received actual notice by hearing the terms of the order in court, then no further service is necessary.</p>	<p>Statute is silent.</p>	<p>Verbal notice is sufficient when a law enforcement officer is responding to a domestic violence incident.</p>	<p>Personal service should be attempted first. Alternative service methods include: leaving a copy and mailing a copy to the respondent's home, publishing in a newspaper or posting in the courthouse.</p> <p>In general: The respondent must agree to being served through e-service first.</p> <p>For civil harassment injunctions*: Personal service must be attempted first. If the court determines that diligent efforts have been made but personal service still can't be completed, then Court can specify another method of service that is reasonably calculated to give actual notice to the Respondent and</p>	<p>An order can be served by a law enforcement officer which includes:</p> <p>Police officer</p> <p>Sheriff officer</p> <p>Peace officer of the highway patrol, the University of California Police Department, the California State University and College Police Department, or a California Community College police department</p> <p>Housing authority patrol officer</p> <p>Peace officer for a district attorney</p> <p>Peace officer employed by a police department of a school district</p> <p>Parole officer, probation officer, or deputy probation officer</p>
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	<p>shall enter, or cause to be entered, the firearm into the Department of Justice Automated Firearms System pursuant to Section 11108.2 of the Penal Code.</p> <p>(c) It is a rebuttable presumption that the proof of service was signed on the date of service.</p> <p>(d) Upon receiving information at the scene of a domestic violence incident that a protective order has been issued under this part, or that a person who has been taken into custody is the respondent to that order, if the protected person cannot produce an endorsed copy of the order, a law enforcement officer shall immediately inquire of the Domestic Violence Restraining Order System to verify the existence of the order.</p> <p>(e) If the law enforcement officer determines that a protective order has been issued, but not served, the officer shall immediately notify the respondent of the terms of the order and where a written copy of the order can be obtained and the officer shall, at that time, also enforce the order. The law enforcement officer's verbal notice of the terms of the order shall constitute service of the order and is sufficient notice for the purposes of this section and for the purposes of Sections 273.6 and 29825 of the Penal Code.(g) Upon service of the order outside of the court, a law enforcement officer shall advise the respondent to go to the local court to obtain a copy of the order containing the full terms and conditions of the order.</p> <p><u>Cal. Fam. Code § 6383(d), (e) Service of restraining or protective order by law enforcement officer; Verbal notice of order; Immunity</u></p>				<p>determine the manner in which proof of service should be made. Cal Code Civ Proc § 527.6</p>	
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<p>(d) Upon receiving information at the scene of a domestic violence incident that a protective order has been issued under this part, or that a person who has been taken into custody is the respondent to that order, if the protected person cannot produce an endorsed copy of the order, a law enforcement officer shall immediately inquire of the California Restraining and Protective Order System to verify the existence of the order.</p> <p>(e) If the law enforcement officer determines that a protective order has been issued, but not served, the officer shall immediately notify the respondent of the terms of the order and where a written copy of the order can be obtained, and the officer shall, at that time, also enforce the order. The law enforcement officer's verbal notice of the terms of the order shall constitute service of the order and is sufficient notice for the purposes of this section and for the purposes of Sections 273.6 and 29825 of the Penal Code.</p> <p><u>Cal. Fam. Code § 6384 Personal service not required</u></p> <p>(a) If a respondent named in an order issued under this part after a hearing has not been served personally with the order but has received actual notice of the existence and substance of the order through personal appearance in court to hear the terms of the order from the court, no additional proof of service is required for enforcement of the order.</p> <p>If a respondent named in a temporary restraining order or emergency protective order is personally served with the order and notice of hearing with respect to a restraining order or protective order based on the temporary restraining order or emergency</p>						
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<p>protective order, but the respondent does not appear at the hearing either in person or by counsel, and the terms and conditions of the restraining order or protective order issued at the hearing are identical to the temporary restraining or emergency protective order, except for the duration of the order, the restraining order or protective order issued at the hearing may be served on the respondent by first-class mail sent to the respondent at the most current address for the respondent that is available to the court.</p> <p>(b) The Judicial Council forms for orders issued under this part shall contain a statement in substantially the following form: “If you have been personally served with a temporary restraining order and notice of hearing, but you do not appear at the hearing either in person or by a lawyer, and a restraining order that is the same as this temporary restraining order except for the expiration date is issued at the hearing, a copy of the order will be served on you by mail at the following address: . If that address is not correct or you wish to verify that the temporary restraining order was converted to a restraining order at the hearing without substantive change and to find out the duration of that order, contact the clerk of the court.”</p> <p>§ 415.20. Leaving and mailing copies; Where and with whom; When service deemed complete</p> <p>(a) In lieu of personal delivery of a copy of the summons and complaint to the person to be served as specified in <u>Section 416.10, 416.20, 416.30, 416.40, or 416.50</u>, a summons may be served by leaving a copy of the summons and complaint during usual</p>						
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<p>office hours in his or her office or, if no physical address is known, at his or her usual mailing address, other than a United States Postal Service post office box, with the person who is apparently in charge thereof, and by thereafter mailing a copy of the summons and complaint by first-class mail, postage prepaid to the person to be served at the place where a copy of the summons and complaint were left. When service is effected by leaving a copy of the summons and complaint at a mailing address, it shall be left with a person at least 18 years of age, who shall be informed of the contents thereof. Service of a summons in this manner is deemed complete on the 10th day after the mailing.</p> <p>(b) If a copy of the summons and complaint cannot with reasonable diligence be personally delivered to the person to be served, as specified in <u>Section 416.60, 416.70, 416.80, or 416.90</u>, a summons may be served by leaving a copy of the summons and complaint at the person's dwelling house, usual place of abode, usual place of business, or usual mailing address other than a United States Postal Service post office box, in the presence of a competent member of the household or a person apparently in charge of his or her office, place of business, or usual mailing address other than a United States Postal Service post office box, at least 18 years of age, who shall be informed of the contents thereof, and by thereafter mailing a copy of the summons and of the complaint by first-class mail, postage prepaid to the person to be served at the place where a copy of the summons and complaint were left. Service of a summons in this manner is deemed complete on the 10th day after the mailing.</p>						
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	<p>(c) Notwithstanding subdivision (b), if the only address reasonably known for the person to be served is a private mailbox obtained through a commercial mail receiving agency, service of process may be effected on the first delivery attempt by leaving a copy of the summons and complaint with the commercial mail receiving agency in the manner described in subdivision (d) of <u>Section 17538.5 of the Business and Professions Code</u>.</p> <p>§ 415.30(a). Service by mail; Articles mailed; Form of notice; When service complete; Liability for expense on failure to return acknowledgment; Approved form (a) A summons may be served by mail as provided in this section. A copy of the summons and of the complaint shall be mailed (by first-class mail or airmail, postage prepaid) to the person to be served, together with two copies of the notice and acknowledgment provided for in subdivision (b) and a return envelope, postage prepaid, addressed to the sender.</p> <p>415.50. Service by publication; Prerequisite affidavit; Order for publication in named newspaper; When service complete; Service other than by publication (a) A summons may be served by publication if upon affidavit it appears to the satisfaction of the court in which the action is pending that the party to be served cannot with reasonable diligence be served in another manner specified in this article and that either: (1) A cause of action exists against the party upon whom service is to be made or he or she is a necessary or proper party to the action. (2) The party to be served has or claims an interest in real or personal property in this</p>					
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	<p>state that is subject to the jurisdiction of the court or the relief demanded in the action consists wholly or in part in excluding the party from any interest in the property.</p> <p>(b) The court shall order the summons to be published in a named newspaper, published in this state, that is most likely to give actual notice to the party to be served. If the party to be served resides or is located out of this state, the court may also order the summons to be published in a named newspaper outside this state that is most likely to give actual notice to that party. The order shall direct that a copy of the summons, the complaint, and the order for publication be forthwith mailed to the party if his or her address is ascertained before expiration of the time prescribed for publication of the summons. Except as otherwise provided by statute, the publication shall be made as provided by <u>Section 6064 of the Government Code</u> unless the court, in its discretion, orders publication for a longer period.</p> <p>(c) Service of a summons in this manner is deemed complete as provided in <u>Section 6064 of the Government Code</u>.</p> <p>(d) Notwithstanding an order for publication of the summons, a summons may be served in another manner authorized by this chapter, in which event the service shall supersede any published summons.</p> <p>(e) As a condition of establishing that the party to be served cannot with reasonable diligence be served in another manner specified in this article, the court may not require that a search be conducted of public databases where access by a registered process server to residential addresses is prohibited by law or by published policy of the agency providing the database, including, but</p>					
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	not limited to, voter registration rolls and records of the Department of Motor Vehicles.					
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COLORADO	<u>Colo. Rev. Stat. § 13-14-103 (2), (4), (7)</u> <u>Emergency protection orders</u> (2)	Emergency order: Temporary orders can be served by personal delivery; leaving a copy at the respondent's home with an adult member of their family, leaving a copy at the respondent's workplace with their supervisor, secretary, administrative assistant, bookkeeper, human resources representative or managing agent; or delivering a copy to an agent authorized to receive it.	If a defendant is not served within 26 weeks after the complaint is filed, the court-on motion or on its own after notice to the plaintiff-shall dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court shall extend the time for service for an appropriate period.	A judge may issue a verbal ex parte order, but only after finding that a person in close proximity to the respondent is in imminent danger, or that a danger to a minor child will exist in the reasonably foreseeable future.	Colorado has a e-filing/service system that is primarily used by attorneys for specific types of cases but it does not appear that this is a service widely accessible in protection order cases. See C.R.C.P. 305.5	Temporary orders can be served by any adult who is not a party to the action. Final orders can be served by law enforcement officers.
Protection from Domestic Violence	(a) A verbal emergency protection order may be issued pursuant to subsection (1) of this section only if the issuing judge finds that the risk or threat of physical harm or the threat of psychological or emotional harm exists in close proximity to one or more persons or that the risk or threat of physical harm or the threat of psychological or emotional harm exists to the life or health of the minor child in the reasonably foreseeable future.					
Protection from Dating Violence, Sexual Assault or Stalking	(b) Any verbal emergency protection order shall be reduced to writing and signed by the officer or other person asserting the grounds for the order and shall include a statement of the grounds for the order asserted by the officer or person. The officer or person shall not be subject to civil liability for any statement made or act performed in good faith. The emergency protection order shall be served upon the respondent with a copy given to the protected party and filed with the county or district court as soon as practicable after issuance. Any written emergency protection order issued pursuant to this subsection (2) shall be on a standardized form prescribed by the judicial department, and a copy shall be provided to the protected person.					
Colo. Rev. Stat. § 13-14-103						
Colo. Rev. Stat. § 13-14-104.5						
Colo. Rev. Stat. § 13-14-107						
C.R.C.P. 304(a)-(b)(1), (c)-(k)		If the respondent is at least 13 but less than 18 years old, then they may be served by delivering a copy to the respondent as well as their parent or guardian. If no parent or guardian is present in the state, the order can instead be delivered to the person with care and control over the respondent,	Plaintiff shall serve the following on the defendant at least seven days before the return date: (1) summons containing all language and information required by statute; (2) complaint; (3) blank copy of the answer form; (4) Form JDF 186 SC: Information for Eviction Cases; (5) Form JDF 185 SC:			
C.R.C.P. 4						
Colo. Rev. Stat. § 13-14-110	(4) If any person named in an order issued pursuant to this section has not been served personally with such order but has received actual notice of the existence and substance of such order from any person, any act in violation of such order may be deemed sufficient to subject the person named in such order to any penalty for such violation.(7) At					

	<p>any time that the law enforcement agency having jurisdiction to enforce the emergency protection order has cause to believe that a violation of the order has occurred, it shall enforce the order. If the order is written and has not been personally served, a member of the law enforcement agency shall serve a copy of said order on the person named respondent therein. If the order is verbal, a member of the law enforcement agency shall notify the respondent of the existence and substance thereof.</p> <p><u>Colo. Rev. Stat. § 13-14-104.5(9) Procedure for temporary civil protection order</u></p> <p>(9) Upon the issuance of a temporary civil protection order, a copy of the complaint, a copy of the temporary civil protection order, and a copy of the citation must be served upon the respondent and upon the person to be protected, if the complaint was filed by another person, in accordance with the rules for service of process as provided in rule 304 of the rules of county court civil procedure or rule 4 of the Colorado rules of civil procedure. Service upon the respondent and upon the person to be protected is prohibited if the temporary protection order is denied or if the petitioner moves to vacate the temporary protection order prior to the court receiving confirmation that the respondent was personally served or had actual knowledge of the request for a civil protection order. The citation must inform the respondent that, if the respondent fails to appear in court in accordance with the terms of the citation, a bench warrant may be issued for the arrest of the respondent and the temporary protection order previously entered by the court made permanent without further notice or service</p>	<p>or the respondent's employer.</p> <p>If the respondent is under 13 years old, they may be served by delivering a copy to their parent or guardian. If no parent or guardian is present in the state, they may be served by delivering a copy to the person who has care and control over them.</p> <p>If the respondent has received actual notice of the order, then service is not necessary for enforcement.</p> <p>If a law enforcement officer believes a violation has occurred and the respondent has not been personally served, the officer should serve the order at that time.</p> <p>Final order: Statute is mostly silent.</p> <p>If a law enforcement officer responds to a</p>	<p>Request for Documents in Eviction Cases; and (6) blank copies of Forms JDF 205 and 206 (fee waiver forms).</p>			
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	<p>upon the respondent. If the temporary protection order is based in whole or in part on an act of domestic violence, as defined in section 18-6-800.3, and the act of domestic violence involved the threat of use of physical force, use of physical force, or attempted use of physical force, the citation must also inform the respondent that the respondent must comply with section 13-14-105.5 by refraining from possessing or purchasing any firearm or ammunition for the duration of the order and relinquishing for the duration of the order any firearm or ammunition in the respondent's immediate possession or control or subject to the respondent's immediate possession or control.</p> <p><u>Colo. Rev. Stat. § 13-14-107(3) Enforcement of protection order - duties of peace officer</u></p> <p>(3) If a respondent has not been personally served with a protection order, a peace officer responding to a call for assistance shall serve a copy of the protection order on the respondent named in the protection order, shall write the time, date, and manner of service on the protected person's copy of the order, and shall sign the statement.</p> <p><u>C.R.C.P. 304 Service of Process</u></p> <p>(a) To What Applicable. This rule applies to all process except as otherwise provided by these rules.</p> <p>(b) Initial Process. Initial process shall be as follows:</p> <p>(1) Initial Process in cases other than forcible entry and detainer cases. Except in cases of service by publication under Rule 304(f), the complaint and a blank copy of the answer form shall be served with the</p>	<p>call for assistance and the respondent has not yet been served, the officer should serve them at that time.</p>				
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	<p>summons.</p> <p>(c) By Whom Served. Process may be served within the United States or its Territories by any person whose age is eighteen years or older, not a party to the action. Process served in a foreign country shall be according to any internationally agreed means reasonably calculated to give notice, the law of the foreign country, or as directed by the foreign authority or the court if not otherwise prohibited by international agreement.</p> <p>(d) Personal Service. Personal service shall be as follows:</p> <p>(1) Upon a natural person whose age is eighteen years or older by delivering a copy thereof to the person, or by leaving a copy thereof at the person's usual place of abode, with any person whose age is eighteen years or older and who is a member of the person's family, or at the person's usual workplace, with the person's supervisor, secretary, administrative assistant, bookkeeper, human resources representative or managing agent; or by delivering a copy to a person authorized by appointment or by law to receive service of process.</p> <p>(2) Upon a natural person whose age is at least thirteen years and less than eighteen years, by delivering a copy thereof to the person and another copy thereof to the person's father, mother, or guardian, or if there be none in the state, then by delivering a copy thereof to any person in whose care or control the person may be, or with whom the person resides, or in whose service the person is employed, and upon a natural person under the age of thirteen years by</p>					
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	<p>delivering a copy to the person's father, mother, or guardian, or if there be none in the state, then by delivering a copy thereof to the person in whose care or control the person may be.</p> <p>(3) Upon a person for whom a conservator has been appointed, by delivering a copy thereof to such conservator.</p> <p>(4) Upon any form of corporation, partnership, association, cooperative, limited liability company, limited partnership association, trust, organization, or other form of entity that is recognized under the laws of this state or of any other jurisdiction, (including any such organization, association or entity serving as an agent for service of process for itself or for another entity) by delivering a copy thereof to the registered agent for service as set forth in the most recently filed document in the records of the secretary of state of this state or of any other jurisdiction, or that agent's secretary or assistant, or one of the following:</p> <p>(A) An officer of any form of entity having officers, or that officer's secretary or assistant;</p> <p>(B) A general partner of any form of partnership, or that general partner's secretary or assistant;</p> <p>(C) A manager of a limited liability company or limited partnership association in which management is vested in managers rather than members, or that manager's secretary or assistant;</p> <p>(D) A member of a limited liability company or limited partnership association in which management is vested in the members or in which management is vested in managers and</p>					
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	<p>there are no managers, or that member's secretary or assistant;</p> <p>(E) A trustee of a trust, or that trustee's secretary or assistant;</p> <p>(F) The functional equivalent of any person described in paragraphs (A) through (E) of this subsection (4), regardless of such person's title, under:</p> <p>(I) the articles of incorporation, articles of organization, certificate of limited partnership, articles of association, statement of registration, or other documents of similar import duly filed or recorded by which the entity or any or all of its owners obtains status as an entity or the attribute of limited liability, or</p> <p>(II) the law pursuant to which the entity is formed or which governs the operation of the entity;</p> <p>(G) If no person listed in subsection (4) of this rule can be found in this state, upon any person serving as a shareholder, member, partner, or other person having an ownership or similar interest in, or any director, agent, or principal employee of such entity, who can be found in this state, or service as otherwise provided by law.</p> <p>(5) Repealed.</p> <p>(6) Upon a municipal corporation, by delivering a copy thereof to the mayor, the city manager, the clerk, or deputy clerk.</p> <p>(7) Upon a county, by delivering a copy thereof to the county clerk, chief deputy, or county commissioner.</p> <p>(8) Upon a school district, by delivering a copy thereof to the superintendent.</p> <p>(9) Upon the state by delivering a copy thereof to the attorney general.</p>					
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	<p>(10)</p> <p>(A) Upon an officer, agent, or employee of the state, acting in an official capacity, by delivering a copy thereof to the officer, agent, or employee, and by delivering a copy to the attorney general.</p> <p>(B) Upon a department or agency of the state, subject to suit, by delivering a copy thereof to the principal officer, chief clerk, or other executive employee thereof, and by delivering a copy to the attorney general.</p> <p>(C) For purposes of service of an initial summons and complaint, the copies shall be delivered to both the party and the attorney general within the times as set forth in rule 312(a). For all other purposes, the effective date of service shall be the latter date of delivery.</p> <p>(11) Upon other political subdivisions of the State of Colorado, special districts, or quasi-municipal entities, by delivering a copy thereof to any officer or general manager, unless otherwise provided by law.</p> <p>(12) Upon any of the entities or persons listed in subsections (4) through (11) of this section (d) by delivering a copy to any designee authorized to accept service of process for such entity or person, or by delivery to a person authorized by appointment or law to receive service of process for such entity or person. The delivery shall be made in any manner permitted by such appointment or law.</p> <p>(e) Substitute Service. In the event that a party attempting service of process by personal service under section (d) is unable to accomplish service, and service by publication or mail is not otherwise permitted under section (f), the party may file a motion,</p>					
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<p>supported by an affidavit of the person attempting service, for an order for substituted service. The motion shall state (1) the efforts made to obtain personal service and the reason that personal service could not be obtained, (2) the identity of the person to whom the party wishes to deliver the process, and (3) the address, or last known address of the workplace and residence, if known, of the party upon whom service is to be effected. If the court is satisfied that due diligence has been used to attempt personal service under section (d), that further attempts to obtain service under section (d) would be to no avail, and that the person to whom delivery of the process is appropriate under the circumstances and reasonably calculated to give actual notice to the party upon whom service is to be effective, it shall:</p> <p>(1) Authorize delivery to be made to the person deemed appropriate for service, and</p> <p>(2) Order the process to be mailed to the address(es) of the party to be served by substituted service, as set forth in the motion, on or before the date of delivery. Service shall be complete on the date of delivery to the person deemed appropriate for service.</p> <p>(f) Other Service. Except as otherwise provided by law, service by mail or publication shall be allowed only in actions affecting specific property or status or other proceedings in rem. When service is by publication, the complaint need not be published with the summons. The party desiring service of process by mail or publication under this section (f) shall file a motion verified by the oath of such party or of someone in the party's behalf for an order of service by mail or publication. It shall state the</p>					
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	<p>facts authorizing such service, and shall show the efforts, if any, that have been made to obtain personal service and shall give the address, or last known address, of each person to be served or shall state that this address and last known address are unknown. The court, if satisfied that due diligence has been used to obtain personal service or that efforts to obtain the same would have been to no avail, shall:</p> <p>(1) Order the party to send by registered or certified mail a copy of the summons and a copy of the complaint, addressed to such person at such address, requesting a return receipt signed by addressee only. Such service shall be complete on the date of the filing of proof thereof, together with such return receipt attached thereto signed by such addressee, or</p> <p>(2) Order publication of the summons in a newspaper published in the county in which the action is pending. Such publication shall be made once each week for five successive weeks. Within fifteen days after the order the party shall mail a copy of the summons and complaint to each person whose address or last known address has been stated in the motion and file proof thereof. Service shall be completed on the day of the last publication. If no newspaper is published in the county, the court shall designate one in some adjoining county.</p> <p>(g) Manner of Proof. Proof of service shall be made as follows:</p> <p>(1) If served personally, by a statement, certified by the sheriff, marshal or similar governmental official, or statement duly acknowledged under oath by any other person completing the service as to date, place, and manner of service.</p>					
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	<p>(2) Repealed eff. March 23, 2006</p> <p>(3) If served by mail, an affidavit showing the date of the mailing, with the return receipt attached, where applicable.</p> <p>(4) If served by publication, by the affidavit of publication, together with an affidavit as to the mailing of a copy of the summons, complaint and answer form where required.</p> <p>(5) If served by waiver, by the written admission or waiver of service by the person or persons to be served, duly acknowledged, or by their attorney.</p> <p>(6) If served by substituted service, by a duly acknowledged statement as to the date, place, and manner of service, accompanied by an affidavit that the process was also mailed to the party to be served by substituted service, setting forth the address(es) where the process was mailed.</p> <p>(h) Amendment. At any time in its discretion and upon such terms as it deems just, the court may allow any summons or proof of service thereof to be amended, unless it clearly appears that material prejudice would result to the substantial rights of the party against whom the summons issued.</p> <p>(i) Waiver of Service of Summons. A defendant who waives service of a summons does not thereby waive any objection to the venue or to the jurisdiction of the court over the defendant.</p> <p>(j) Refusal of Copy. If a person to be served refuses to accept a copy of the summons and complaint, service shall be sufficient if the person serving the documents knows or has reason to identify the person who refuses to be served, identifies the documents being served as a summons and complaint, offers to deliver a copy of the documents to the person</p>					
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<p>who refuses to be served, and thereafter leaves a copy in a conspicuous place.</p> <p>(k) Time Limit for Service. If a defendant is not served within 26 weeks after the complaint is filed, the court-on motion or on its own after notice to the plaintiff-shall dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court shall extend the time for service for an appropriate period. This subdivision (k) does not apply to service in a foreign country under rule 304(d).</p> <p><u>C.R.C.P. 4 Process</u></p> <p>(a) To What Applicable. This Rule applies to all process except as otherwise provided by these rules.</p> <p>(b) Issuance of Summons by Attorney or Clerk. The summons may be signed and issued by the clerk, under the seal of the court, or it may be signed and issued by the attorney for the plaintiff. Separate additional or amended summons may issue against any defendant at any time. All other process shall be issued by the clerk, except as otherwise provided in these rules.</p> <p>(c) Contents of Summons.</p> <p>(1) The summons shall contain the name of the court, the county in which the action is brought, the names or designation of the parties, shall be directed to the defendant, shall state the time within which the defendant is required to appear and defend against the claims of the complaint, and shall notify the defendant that in case of the defendant's failure to do so, judgment by default may be rendered against the defendant. If the summons is served by</p>						
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	<p>publication, the summons shall briefly state the sum of money or other relief demanded. The summons shall contain the name, address, and registration number of the plaintiff's attorney, if any, and if none, the address of the plaintiff. Except in case of service by publication under Rule 4(g) or when otherwise ordered by the court, the complaint shall be served with the summons. In any case, where by special order personal service of summons is allowed without the complaint, a copy of the order shall be served with the summons.</p> <p style="text-align: center;">***</p> <p>(d) By Whom Served. Process may be served within the United States or its Territories by any person whose age is eighteen years or older, not a party to the action. Process served in a foreign country shall be according to any internationally agreed means reasonably calculated to give notice, the law of the foreign country, or as directed by the foreign authority or the court if not otherwise prohibited by international agreement.</p> <p>(e) Personal Service. Personal service shall be as follows:</p> <p>(1) Upon a natural person whose age is eighteen years or older by delivering a copy thereof to the person, or by leaving a copy thereof at the person's usual place of abode, with any person whose age is eighteen years or older and who is a member of the person's family, or at the person's usual workplace, with the person's supervisor, secretary, administrative assistant, bookkeeper, human resources representative or managing agent; or by delivering a copy to a person authorized by appointment or by law to receive service of process.</p>					
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	<p>(2) Upon a natural person whose age is at least thirteen years and less than eighteen years, by delivering a copy thereof to the person and another copy thereof to the person's father, mother, or guardian, or if there be none in the state, then by delivering a copy thereof to any person in whose care or control the person may be; or with whom the person resides, or in whose service the person is employed; and upon a natural person under the age of thirteen years by delivering a copy to the person's father, mother, or guardian, or if there be none in the state, then by delivering a copy thereof to the person in whose care or control the person may be.</p> <p>(3) Upon a person for whom a conservator has been appointed, by delivering a copy thereof to such conservator.</p> <p>(4) Upon any form of corporation, partnership, association, cooperative, limited liability company, limited partnership association, trust, organization, or other form of entity that is recognized under the laws of this state or of any other jurisdiction, (including any such organization, association or entity serving as an agent for service of process for itself or for another entity) by delivering a copy thereof to the registered agent for service as set forth in the most recently filed document in the records of the secretary of state of this state or of any other jurisdiction, or that agent's secretary or assistant, or one of the following:</p> <p>(A) An officer of any form of entity having officers, or that officer's secretary or assistant;</p> <p>(B) A general partner of any form of partnership, or that general partner's</p>					
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	<p>secretary or assistant;</p> <p>(C) A manager of a limited liability company or limited partnership association in which management is vested in managers rather than members, or that manager's secretary or assistant;</p> <p>(D) A member of a limited liability company or limited partnership association in which management is vested in the members or in which management is vested in managers and there are no managers, or that member's secretary or assistant;</p> <p>(E) A trustee of a trust, or that trustee's secretary or assistant;</p> <p>(F) The functional equivalent of any person described in paragraphs (A) through (E) of this subsection (4), regardless of such person's title, under:</p> <p>(I) the articles of incorporation, articles of organization, certificate of limited partnership, articles of association, statement of registration, or other documents of similar import duly filed or recorded by which the entity or any or all of its owners obtains status as an entity or the attribute of limited liability, or</p> <p>(II) the law pursuant to which the entity is formed or which governs the operation of the entity;</p> <p>(G) If no person listed in subsection (4) of this rule can be found in this state, upon any person serving as a shareholder, member, partner, or other person having an ownership or similar interest in, or any director, agent, or principal employee of such entity, who can be found in this state, or service as otherwise provided by law.</p>					
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	<p>(5) Repealed.</p> <p>(6) Upon a municipal corporation, by delivering a copy thereof to the mayor, city manager, clerk, or deputy clerk.</p> <p>(7) Upon a county, by delivering a copy thereof to the county clerk, chief deputy, or county commissioner.</p> <p>(8) Upon a school district, by delivering a copy thereof to the superintendent.</p> <p>(9) Upon the state by delivering a copy thereof to the attorney general.</p> <p>(10)</p> <p>(A) Upon an officer, agent, or employee of the state, acting in an official capacity, by delivering a copy thereof to the officer, agent, or employee, and by delivering a copy to the attorney general.</p> <p>(B) Upon a department or agency of the state, subject to suit, by delivering a copy thereof to the principal officer, chief clerk, or other executive employee thereof, and by delivering a copy to the attorney general.</p> <p>(C) For all purposes the date of service upon the officer, agent, employee, department, or agency shall control, except that failure to serve copies upon the attorney general within 7 days of service upon the officer, agent, employee, department, or agency shall extend the time within which the officer, agent, employee, department, or agency must file a responsive pleading for 63 days (9 weeks) beyond the time otherwise provided by these Rules.</p> <p>(11) Upon other political subdivisions of the State of Colorado, special districts, or quasi-municipal entities, by delivering a copy thereof to any officer or general manager, unless otherwise provided by law.</p>					
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	<p>(12) Upon any of the entities or persons listed in subsections (4) through (11) of this section (e) by delivering a copy to any designee authorized to accept service of process for such entity or person, or by delivery to a person authorized by appointment or law to receive service of process for such entity or person. The delivery shall be made in any manner permitted by such appointment or law.</p> <p>(f) Substituted Service. In the event that a party attempting service of process by personal service under section (e) is unable to accomplish service, and service by publication or mail is not otherwise permitted under section (g), the party may file a motion, supported by an affidavit of the person attempting service, for an order for substituted service. The motion shall state (1) the efforts made to obtain personal service and the reason that personal service could not be obtained, (2) the identity of the person to whom the party wishes to deliver the process, and (3) the address, or last known address of the workplace and residence, if known, of the party upon whom service is to be effected. If the court is satisfied that due diligence has been used to attempt personal service under section (e), that further attempts to obtain service under section (e) would be to no avail, and that the person to whom delivery of the process is appropriate under the circumstances and reasonably calculated to give actual notice to the party upon whom service is to be effective, it shall:</p> <p>(1) authorize delivery to be made to the person deemed appropriate for service, and</p> <p>(2) order the process to be mailed to the address(es) of the party to be served by substituted service, as set forth in the</p>					
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	<p>motion, on or before the date of delivery. Service shall be complete on the date of delivery to the person deemed appropriate for service.</p> <p>(g) Other Service. Except as otherwise provided by law, service by mail or publication shall be allowed only in actions affecting specific property or status or other proceedings in rem. When service is by publication, the complaint need not be published with the summons. The party desiring service of process by mail or publication under this section (g) shall file a motion verified by the oath of such party or of someone in the party's behalf for an order of service by mail or publication. It shall state the facts authorizing such service, and shall show the efforts, if any, that have been made to obtain personal service and shall give the address, or last known address, of each person to be served or shall state that the address and last known address are unknown. The court, if satisfied that due diligence has been used to obtain personal service or that efforts to obtain the same would have been to no avail, shall:</p> <p>(1) Order the party to send by registered or certified mail a copy of the process addressed to such person at such address, requesting a return receipt signed by the addressee only. Such service shall be complete on the date of the filing of proof thereof, together with such return receipt attached thereto signed by such addressee, or</p> <p>(2) Order publication of the process in a newspaper published in the county in which the action is pending. Such publication shall be made once each week for five successive weeks. Within 14 days after the order the</p>					
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	<p>party shall mail a copy of the process to each person whose address or last known address has been stated in the motion and file proof thereof. Service shall be complete on the day of the last publication. If no newspaper is published in the county, the court shall designate one in some adjoining county.</p> <p>(h) Manner of Proof. Proof of service shall be made as follows:</p> <p>(1) If served personally, by a statement, certified by the sheriff, marshal or similar governmental official, or a sworn or unsworn declaration by any other person completing the service as to date, place, and manner of service;</p> <p>(2) Repealed eff. March 23, 2006.</p> <p>(3) If served by mail, by a sworn or unsworn declaration showing the date of the mailing with the return receipt attached, where required;</p> <p>(4) If served by publication, by a sworn or unsworn declaration that includes the mailing of a copy of the process where required;</p> <p>(5) If served by waiver, by a sworn or unsworn declaration admitting or waiving service by the person or persons served, or by their attorney;</p> <p>(6) If served by substituted service, by a sworn or unsworn declaration as to the date, place, and manner of service, and that the process was also mailed to the party to be served by substituted service, setting forth the address(es) where the process was mailed.</p> <p>(i) Waiver of Service of Summons. A defendant who waives service of a summons does not thereby waive any objection to the venue or to the jurisdiction of the court over</p>					
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<p>the defendant.</p> <p>(j) Amendment. At any time in its discretion and upon such terms as it deems just, the court may allow any process or proof of service thereof to be amended, unless it clearly appears that material prejudice would result to the substantial rights of the party against whom the process is issued.</p> <p>(k) Refusal of Copy. If a person to be served refuses to accept a copy of the process, service shall be sufficient if the person serving the process knows or has reason to identify the person who refuses to be served, identifies the documents being served, offers to deliver a copy of the documents to the person who refuses to be served, and thereafter leaves a copy in a conspicuous place.</p> <p>(l) No Colorado Rule.</p> <p>(m) Time Limit for Service. If a defendant is not served within 63 days (nine weeks) after the complaint is filed, the court --on motion or on its own after notice to the plaintiff --shall dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court shall extend the time for service for an appropriate period. This subdivision (m) does not apply to service in a foreign country under rule 4(d).</p> <p><u>Colo. Rev. Stat. § 13-14-110(2)(a) Foreign protection orders</u></p> <p>(2) Full faith and credit. Courts of this state shall accord full faith and credit to a foreign protection order as if the order were an order of this state, notwithstanding section 14-11-101, C.R.S., and article 53 of this title, if the order meets all of the following conditions:</p> <p>(a) The foreign protection order was</p>					
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	obtained after providing the person against whom the protection order was sought reasonable notice and an opportunity to be heard sufficient to protect his or her due process rights. If the foreign protection order is an ex parte injunction or order, the person against whom it was obtained must have been given notice and an opportunity to be heard within a reasonable time after the order was issued sufficient to protect his or her due process rights.					
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<p>CONNECTICUT</p> <p>Civil Restraining Order (relief from abuse)</p> <p>Conn. Gen. Stat. § 46b-15</p> <p>Conn. Gen. Stat. § 46b-16a</p> <p>Conn. Gen. Stat. § 46b-15a</p>	<p><u>Conn. Gen. Stat. § 46b-15(c), (g), (h), (i)</u> <u>Relief from physical abuse, stalking or pattern of threatening by family or household member. Application. Court orders. Duration. Service of application, affidavit, any ex parte order and notice of hearing. Copies. Expedited hearing for violation of order. Other remedies</u> (c) If the court issues an ex parte order pursuant to subsection (b) of this section and service has not been made on the respondent in conformance with subsection (h) of this section, upon request of the applicant, the court shall, based on the information contained in the original application, extend any ex parte order for an additional period not to exceed fourteen days from the originally scheduled hearing date. The clerk shall prepare a new order of hearing and notice containing the new hearing date, which shall be served upon the respondent in accordance with the provisions of subsection (h) of this section. (g) No order of the court shall exceed one year, except that an order may be extended by the court upon motion of the applicant for such additional time as the court deems necessary. If the respondent has not appeared upon the initial application, service of a motion to extend an order may be made by first-class mail directed to the respondent at the respondent's last-known address. (h) (1) The applicant shall cause notice of the hearing pursuant to subsection (b) of this section and a copy of the application and the applicant's affidavit and of any ex parte order issued pursuant to subsection (b) of this section to be served on the respondent not less than three days before the hearing.</p>	<p>Ex parte order: If the petition indicates that the respondent has a license or certificate to possess a firearm or ammunition, the ex parte order must be served personally by a law enforcement officer, who must request assistance from the local law enforcement agency.</p> <p>Otherwise, ex parte orders are served in the same way as final orders.</p> <p>Final orders: Statute is silent.</p> <p>Motions to extend final orders can be served by first-class mail to the respondent's last known address.</p> <p>Order to prevent sexual abuse, sexual assault, or stalking: Statute is silent.</p>	<p>The respondent must be served with a petition and ex parte order (if applicable) at least 3 days before a hearing on a final order.</p> <p>When a motion for contempt is filed for violation of a restraining order, there will be an expedited hearing. The respondent must be served with notice at least 24 hours before that hearing.</p>	<p>Statute is silent.</p>	<p>The statute states that an officer shall execute the service in an electronic format.</p>	<p>Statute refers to "proper officers" but does not define the term.</p>
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	<p>A proper officer responsible for executing such service shall accept all documents in an electronic format, if presented to such officer in such format. The cost of such service, including mileage pursuant to section 52-261, as amended by this act, shall be paid for by the Judicial Branch. No officer or person shall be entitled to a fee for service pursuant to this section if timely return of service is not received by the court, absent a court order authorizing such fee. For the purposes of this subsection, timely return includes, but is not limited to, transmitting by facsimile or other means, a copy of the return of service to the court prior to the hearing followed by the delivery of the original return to the court within a reasonable time after the hearing.</p> <p>(2) When (A) an application indicates that a respondent holds a permit to carry a pistol or revolver, an eligibility certificate for a pistol or revolver, a long gun eligibility certificate or an ammunition certificate or possesses one or more firearms or ammunition, and (B) the court has issued an ex parte order pursuant to this section, the proper officer responsible for executing service shall, whenever possible, provide in-hand service and, prior to serving such order, shall (i) provide notice to the law enforcement agency for the town in which the respondent will be served concerning when and where the service will take place, and (ii) send, or cause to be sent by facsimile or other means, a copy of the application, the applicant's affidavit, the ex parte order and the notice of hearing to such law enforcement agency, and (iii) request that a police officer from the law enforcement agency for the town in which the respondent</p>					
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	<p>will be served be present when service is executed by the proper officer. Upon receiving a request from a proper officer under the provisions of this subdivision, the law enforcement agency for the town in which the respondent will be served may designate a police officer to be present when service is executed by the proper officer.</p> <p>(3) Upon the granting of an ex parte order, the clerk of the court shall provide two copies of the order to the applicant. Upon the granting of an order after notice and hearing, the clerk of the court shall provide two copies of the order to the applicant and a copy to the respondent. Every order of the court made in accordance with this section after notice and hearing shall be accompanied by a notification that is consistent with the full faith and credit provisions set forth in 18 USC 2265(a), as amended from time to time. Immediately after making service on the respondent, the proper officer shall (A) send or cause to be sent, by facsimile or other means, a copy of the application, or the information contained in such application, stating the date and time the respondent was served, to the law enforcement agency or agencies for the town in which the applicant resides, the town in which the applicant is employed and the town in which the respondent resides, and (B) as soon as possible, but not later than two hours after the time that service is executed, input into the Judicial Branch's Internet-based service tracking system the date, time and method of service. If, prior to the date of the scheduled hearing, service has not been executed, the proper officer shall input into such service tracking system</p>					
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	<p>that service was unsuccessful. The clerk of the court shall send, by facsimile or other means, a copy of any ex parte order and of any order after notice and hearing, or the information contained in any such order, to the law enforcement agency or agencies for the town in which the applicant resides, the town in which the applicant is employed and the town in which the respondent resides, within forty-eight hours of the issuance of such order. If the victim, or victim's minor child protected by such order, is enrolled in a public or private elementary or secondary school, including a technical education and career school, or an institution of higher education, as defined in section 10a-55, the clerk of the court shall, upon the request of the victim, send, by facsimile or other means, a copy of such ex parte order or of any order after notice and hearing, or the information contained in any such order, to such school or institution of higher education, the president of any institution of higher education at which the victim, or victim's minor child protected by such order, is enrolled and the special police force established pursuant to section 10a-156b, if any, at the institution of higher education at which the victim, or victim's minor child protected by such order, is enrolled, if the victim provides the clerk with the name and address of such school or institution of higher education.</p> <p>(j) When a motion for contempt is filed for violation of a restraining order, there shall be an expedited hearing. Such hearing shall be held within five court days of service of the motion on the respondent, provided service on the respondent is made not less than twenty-four hours before the hearing. If the</p>					
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	<p>court finds the respondent in contempt for violation of an order, the court may impose such sanctions as the court deems appropriate.</p> <p>Conn. Gen. Stat. § 46b-16a(c), (d) Issuance of civil protection order on behalf of person who has been victim of sexual abuse, sexual assault or stalking. Application. Hearing. Court orders. Duration. Notice. Other remedies</p> <p>(c) No order of the court shall exceed one year, except that an order may be extended by the court upon proper motion of the applicant, provided a copy of the motion has been served by a proper officer on the respondent, no other order of protection based on the same facts and circumstances is in place and the need for protection, consistent with subsection (a) of this section, still exists.</p> <p>(d) The applicant shall cause notice of the hearing pursuant to subsection (b) of this section and a copy of the application and the applicant's affidavit and of any ex parte order issued pursuant to subsection (b) of this section to be served by a proper officer on the respondent not less than five days before the hearing. The cost of such service, including mileage pursuant to section 52-261, as amended by this act, shall be paid for by the Judicial Branch. Upon the granting of an ex parte order, the clerk of the court shall provide two copies of the order to the applicant. No officer or person shall be entitled to a fee for service pursuant to this section if timely return of service is not received by the court, absent a court order authorizing such fee. For the purposes of this subsection, timely return</p>					
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	<p>includes, but is not limited to, transmitting by facsimile or other means, a copy of the return of service to the court prior to the hearing followed by the delivery of the original return to the court within a reasonable time after the hearing.</p> <p>Upon the granting of an order after notice and hearing, the clerk of the court shall provide two copies of the order to the applicant and a copy to the respondent. Every order of the court made in accordance with this section after notice and hearing shall be accompanied by a notification that is consistent with the full faith and credit provisions set forth in 18 USC 2265(a), as amended from time to time.</p> <p>Immediately after making service on the respondent, the proper officer shall (1) send or cause to be sent, by facsimile or other means, a copy of the application, or the information contained in such application, stating the date and time the respondent was served, to the law enforcement agency or agencies for the town in which the applicant resides, the town in which the applicant is employed and the town in which the respondent resides, and (2) as soon as possible, but not later than two hours after the time that service is executed, input into the Judicial Branch's Internet-based service tracking system the date, time and method of service. If, prior to the date of the scheduled hearing, service has not been executed, the proper officer shall input into such service tracking system that service was unsuccessful. The clerk of the court shall send, by facsimile or other means, a copy of any ex parte order and of any order after notice and hearing, or the information contained in any such order, to the law enforcement agency or agencies for the town in which the applicant resides, the town in which the applicant is</p>					
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<p>employed and the town in which the respondent resides, not later than forty-eight hours after the issuance of such order, and immediately to the Commissioner of Emergency Services and Public Protection. If the applicant is enrolled in a public or private elementary or secondary school, including a technical education and career school, or an institution of higher education, as defined in section 10a-55, the clerk of the court shall, upon the request of the applicant, send, by facsimile or other means, a copy of such ex parte order or of any order after notice and hearing, or the information contained in any such order, to such school or institution of higher education, the president of any institution of higher education at which the applicant is enrolled and the special police force established pursuant to section 10a-142, if any, at the institution of higher education at which the applicant is enrolled, if the applicant provides the clerk with the name and address of such school or institution of higher education.</p> <p><u>Conn. Gen. Stat. § 46b-15a(a), (b) Foreign order of protection. Full faith and credit. Enforcement. Affirmative defense. Child custody provision. Registration</u></p> <p>(a) For the purposes of this section, “foreign order of protection” means any protection order, as defined in 18 USC 2266, as from time to time amended, or similar restraining or protective order issued by a court of another state, the District of Columbia, a commonwealth, territory or possession of the United States or an Indian tribe.</p> <p>(b) A valid foreign order of protection that is consistent with 18 USC 2265, as from time to time amended, shall be accorded full faith and</p>						
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	credit by a court of this state and may be enforced as if it were the order of a court in this state. A foreign order of protection shall be presumed valid if such order appears authentic on its face. The fact that a foreign order of protection has not been entered into the automated registry of protective orders maintained pursuant to section 51-5c, the Connecticut on-line law enforcement communication teleprocessing system maintained by the Department of Emergency Services and Public Protection or the National Crime Information Center (NCIC) computerized index of criminal justice information shall not be grounds for refusing to enforce such order in this state.					
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<p>DELAWARE</p> <p>Protection from Abuse Order</p> <p>Del. Code Ann. tit. 10, § 1043</p> <p>Del. Code Ann. tit. 10, § 1044</p> <p>Del. Code Ann. tit. 10, § 1065</p> <p>Del. Code Ann. tit. 10, § 1049B</p> <p>Del. Family Ct. Civ. R. 5</p>	<p><u>Del. Code Ann. tit. 10, § 1043(d), (f) Ex parte orders and emergency hearings</u></p> <p>(d) In any case in which an ex parte protective order has been issued, a full hearing shall be held within 15 days. The Court may extend an ex parte order as needed, but not to exceed 30 days, to effectuate service of the order or where necessary to continue protection.</p> <p>(f) In those cases where the respondent is not present for the hearing, or where the hearing is held ex parte, any protective order issued shall be served immediately upon the respondent, in accordance with § 1065 of this title. A certified copy of the order shall also be given to the petitioner after the hearing, before leaving the courthouse. If the order recites that the respondent appeared in person before the Court, the necessity for further service is waived and proof of service of the order is not necessary; in those cases, the respondent shall be given a copy of the order before leaving the courthouse.</p> <p><u>Del. Code Ann. tit. 10, § 1044(c) Nonemergency hearings</u></p> <p>(c) Service of the protective order, as well as provision of copies to the parties, shall take place in accordance with § 1043(f) of this title.</p> <p><u>Del. Code Ann. tit. 10, § 1065 Obtaining personal jurisdiction</u></p> <p>(a) Jurisdiction is acquired over a party in any civil action by transmitting to the party a copy of the summons and the petition or complaint (the papers) by any of the following methods:</p> <p>(1) By personal service.</p> <p>(2) By leaving a copy at the party's dwelling house or usual place of abode with some person of suitable age and discretion residing there.</p>	<p>Ex parte and final orders can be served by any of the following methods:</p> <p>Personal service</p> <p>Leaving a copy at the respondent's dwelling with a person of suitable age and discretion</p> <p>Any form of mail</p> <p>In a way prescribed by court rule</p> <p>In a way ordered by the court, including publication in print or on a legal notices website established by the Court, if other methods have failed or been deemed inadequate</p> <p>If the respondent has entered an appearance in the action, service is not necessary.</p>	<p>Orders must be served immediately. No specific time period is set by statute.</p>	<p>Statute is silent.</p>	<p>The Court will arrange to have the petition personally served. However, if the Respondent's physical address is unknown the Court can allow service by "electronic mail" unless an electronic response indicates that the communication is undeliverable. The Court can also publish the notice in print or on a "legal notices website."</p>	<p>Statute is silent.</p>
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	<p>(3) By any form of mail.</p> <p>(4) In the manner prescribed by court rule.</p> <p>(5) In the manner directed by the Court, including publication in print or on a legal notices website established by the Court, if other methods of service have failed or are deemed to have been inadequate.</p> <p>(b) If a party to whom papers have been transmitted by ordinary mail shall fail to appear in the action and there shall be no reliable proof that such party has received notice thereof, then the Court shall order that further effort be made to provide notice to that party which may include notice by certified or registered mail, or by any other method for providing notice specified in subsection (a) of this section above.</p> <p>(c) Jurisdiction shall be acquired over a minor by any of the above methods directed to the minor and to the minor's parent, custodian or guardian.</p> <p>(d) If, for any particular action, another statute or rule adopted pursuant to statute prescribes a method or methods for acquiring jurisdiction over a party, then jurisdiction shall be acquired thereby.</p> <p>(e) It is not necessary to transmit papers or otherwise provide notice to a party who has entered an appearance in the action.</p> <p><u>Del. Code Ann. tit. 10, § 1049B (d)(4)</u> <u>Judicial enforcement of order</u></p> <p>(d) A foreign protection order is valid if it:</p> <p>(4) Was issued after the respondent was given reasonable notice and had an opportunity to be heard before the tribunal issued the order, or in the case of an order ex parte, the respondent was given notice and had an opportunity to be heard within a reasonable time after the order was issued,</p>					
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	<p>consistent with the rights of the respondent to due process.</p> <p>Del. Family Ct. Civ. R. 5. Service and filing of pleadings and other papers.</p> <p>(a) Service: When required. Except as otherwise provided in these Rules, every order required by its terms to be served, every pleading subsequent to the original petition unless the Court otherwise orders because of numerous respondents, every paper relating to discovery required to be served upon a party unless the Court otherwise orders, every written motion other than one which may be heard ex parte, and every written notice, appearance, demand, designation of record on appeal, and similar paper shall be served upon each of the parties. No service need be made on parties in default for failure to appear except that pleadings asserting new or additional claims for relief against them shall be served upon them in the manner provided for service of summons in Rule 4.</p> <p>(b)</p> <p>(1) Appearance of party: When; how made. Except as otherwise provided by statute, a respondent may appear though not served with a summons. Appearance may be made by the service and filing of notice thereof, or by the service or filing of any motion or pleading purporting to be responsive to or affecting the petition, or by appearing personally, including participating virtually, at any Court mediation conference, hearing or trial in the action.</p> <p>(2) Appearance of attorney: When; how made; withdrawal.</p> <p>(A) An attorney shall appear for the purpose of representing a party by filing a written notice of appearance a form of which will be provided by Family Court. The notice of appearance shall specify the matter(s) in which the</p>					
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	<p>attorney will represent the party. Once an attorney has filed a notice of appearance in a particular matter, copies of all notices given to the party with regard to that matter shall also be given to the party's counsel. No appearance shall be withdrawn except upon application by the attorney and order of the Court for good cause.</p> <p>(B) Any appearance by an attorney in accordance with subparagraph (A) shall be limited to representation with respect to the specific petition filed and shall terminate when the time for appeal has elapsed from the final order entered by the Court.</p> <p>(3) Transmittal of petition after appearance. When a respondent appears in a case without having been personally served a summons and copy of the petition, the respondent waives any right to personal service of the summons and petition. Court staff will, on request, provide a copy of the petition to the respondent either (1) in person at the courthouse, or (2) via electronic mail using an electronic mail address provided by the respondent, or (3) via regular mail using the address provided by the respondent, or (4) by providing a copy to respondent's attorney who has entered an appearance pursuant to subsection (b)(2).</p> <p>(c) Service of pleadings and paper: How made. Whenever under these Rules service is required or permitted to be made upon a party represented by an attorney the service shall be made upon the attorney unless service upon the party is ordered by the Court. Service upon the attorney or upon a party shall be made in a manner reasonably calculated to ensure delivery of the copy before or at the time of filing. Service upon the attorney or upon a party shall be made:</p> <p>(1) by delivering a copy to the party, (2) by mailing it to the party at the party's last</p>					
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	<p>known address, (3) by mailing it to the party at the party's last known address, (4) if no address is known, by leaving it with the Clerk.</p> <p>“Delivery of a copy” within this Rule means handing it to the attorney or to the party; or leaving it at the attorney’s office with a clerk or other person in charge; or, if there is no one in charge, leaving it in a conspicuous place therein; or, if the office is closed or the person to be served has no office, leaving it at the dwelling or usual place of abode with some person of suitable age and discretion then residing therein. Service by mail or electronic mail is complete upon mailing, unless an electronic response is received indicating that the electronic mail is undeliverable, in which case an alternative method of service shall be used, including repeat service by electronic mail until there is no electronic response indicating that the mail is undeliverable.</p> <p>(d) Filing. All papers after the petition required to be served upon a party shall be filed with the Court within a reasonable time after service, except that filing of discovery and its product after service shall be governed by Rule 26(e).</p> <p>(e) Filing with the Court defined. The filing of pleadings and other papers with the Court as required by these Rules shall be made by filing them with the Clerk, except that the Judge may permit the papers to be filed with the Judge, in which event the Judge shall note thereon the filing date and transmit them to the office of the Clerk.</p> <p>(f) Proof of service of papers. Unless otherwise ordered, no pleading or other paper, required by these Rules to be served by the party filing the paper, shall be filed unless the original (1) shall have endorsed thereon a receipt of service of a copy by all parties required to be</p>					
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	served, or (2) shall be accompanied by affidavit showing that service has been made and how made, or (3) shall be accompanied by a certificate of an attorney of record showing service has been made and how.					
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<p>DISTRICT OF COLUMBIA</p> <p>Domestic Violence Civil Protection Order</p> <p>Sexual Assault, Stalking Civil Protection Order</p> <p>D.C. Code § 16-1004</p> <p>D.C. Code § 16-1007</p> <p>D.C. SCR-Dom. Rel. Rule 5</p> <p>D.C. Code § 16-1042</p>	<p><u>D.C. Code § 16-1004(e), (g) Petition; notice; temporary order</u></p> <p>(e)</p> <p>(1) A temporary protection order shall remain in effect for an initial period not to exceed 14 days as necessary to complete service and the hearing on the petition.</p> <p>(2) The court may extend a temporary protection order as necessary to complete service and the hearing on the petition:</p> <p>(A) In 14-day increments;</p> <p>(B) In increments up to 28 days for good cause; or</p> <p>(C) For a longer time period with the consent of both parties.</p> <p>(g) If a respondent fails to appear for a hearing on a petition for a civil protection order after having been served with notice of the hearing, a petition, and a temporary protection order in accordance with the Rules of the Superior Court of the District of Columbia, and the court enters a civil protection order in accordance with § 16-1005, the temporary protection order shall remain in effect until the respondent is served with the civil protection order or the civil protection order expires, whichever occurs first.</p> <p>D.C. Code § 16-1007(d)(e):. Notice to parties.</p> <p>(d) A respondent is deemed to have been personally served and no additional proof of service is required for enforcement of an order if the respondent is present before the court when the order is issued or if the respondent is served with the order in open court.</p> <p>(e)</p> <p>(1) At the request of the petitioner or a person petitioning on the petitioner's</p>	<p>Temporary orders and notice of hearings on final orders are served in the same way.</p> <p>They can be served by:</p> <p>Personal service on the respondent or their attorney</p> <p>Leaving a copy at the respondent's dwelling with a person of suitable age and discretion</p> <p>First-class mail to the respondent or their attorney</p> <p>Electronic service, if permitted or required by administrative order</p> <p>Other means the respondent consented to in writing</p>	<p>Statute is silent.</p>	<p>The court allows for documents to be sent through its own electronic filing system. Once the documents are transmitted via this system, the service is considered complete. Additionally, electronic means such as email, text message, or even social media are valid methods of serving documents. However, a caveat exists: if the serving party discovers that the documents did not successfully reach the intended recipient, the electronic service is deemed ineffective. If traditional or electronic methods prove unsuccessful, the court may permit</p>	<p>Statute states; sending it by electronic means as permitted or required by administrative order or as consented to in writing by the party or attorney—in which event service is complete on transmission, but is not effective if the serving party learns that it did not reach the person to be served.</p>	<p>Statute is silent.</p>
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	<p>behalf, or by order of the court, the Metropolitan Police Department shall attempt to serve civil process in any case filed under this subchapter that has an address for service in the District of Columbia.</p> <p>(2) There is established a special unit that consists of at least 6 officers for the purpose of performing these and similar duties, including the service of anti-stalking orders or extreme risk protection orders.</p> <p>D.C. SCR-Dom. Rel. Rule 4(c)-(d)</p> <p>(c) Serving a Summons and Complaint.</p> <p>(1) In General. A summons must be served with a copy of the complaint and any scheduling or other order directed to the parties at the time of filing. The plaintiff is responsible for having the summons, complaint, and any order directed to the parties at the time of filing served within the time allowed by Rule 4(i) and for furnishing the necessary copies to the person who makes service.</p> <p>(2) Methods of Service. Service of the summons, complaint, and any order must be made in one of the following ways:</p> <p>(A) by any person who is at least 18 years of age and not a party:</p> <p>(i) delivering a copy of each to an individual personally; or</p> <p>(ii) leaving a copy of each at the individual's dwelling or usual place of abode with someone of suitable age and discretion who resides there;</p> <p>(B) by mailing a copy of each to the person to be served at the person's dwelling or usual place of abode by registered or certified mail, return receipt requested;</p>			<p>alternative ways to serve or even allow for service by publication in specific circumstances.</p>		
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<p>(C) by mailing a copy of each by first-class mail, postage prepaid, to the person to be served, together with two copies of a Notice and Acknowledgment conforming substantially to the form maintained by the clerk's office and a return envelope, postage prepaid, addressed to the sender, and unless good cause is shown for not doing so, the court must order the party served to pay the costs incurred in securing an alternative method of service authorized by this rule if the person served does not complete and return, within 21 days after mailing, the Notice and Acknowledgment of receipt of the summons;</p> <p>(D) by the Metropolitan Police Department as authorized by D.C. Code § 13-302.01 (b) (2012 Repl.);</p> <p>(E) by a United States marshal or deputy marshal as authorized by D.C. Code § 13-302 (2012 Repl.);</p> <p>(F) in any manner authorized by Rule 4(f);</p> <p>(G) in any other manner authorized by statute;</p> <p>(H) by any other method to which the person to be served consents in writing, with an acknowledgement that the person:</p> <p>(i) received the summons, complaint, and any order;</p> <p>(ii) understands that the person must answer the complaint within 21 days after signing the consent; and</p> <p>(iii) understands that judgment by default may be entered against the person if the person fails to answer the complaint within that time.</p> <p>(I) by sending a copy of each to a registered user using the court's electronic filing system—in which event service is complete on transmission, but is not effective if the serving party learns that it did not reach the person to be served; or</p>					
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<p>(J) by sending a copy of each to the individual by electronic means, including, but not limited to email, text message, or social media—in which event service is complete on transmission, but is not effective if the serving party learns that it did not reach the person to be served.</p> <p>(3) Alternative Methods of Service. If the court determines that, after diligent effort, a plaintiff or petitioner has been unable to accomplish service by a method prescribed in Rule 4(c)(2), the court may permit an alternative method of service reasonably calculated to give actual notice of the action to the defendant or respondent. The court may specify how the plaintiff or petitioner must prove that service was accomplished by the alternative method. Alternative methods of service may include delivering a copy to the individual’s employer by leaving it at the individual’s place of employment with a clerk or person in charge, and any other method that the court deems just and reasonable.</p> <p>(4) Service by Publication.</p> <p>(A) When Allowed. The court may permit service by publication, instead of service under Rule 4(c)(2) or (3), if:</p> <p>(i) a summons for the defendant has been issued and returned “not to be found,” and an affidavit establishes that the defendant is a nonresident or has been absent from the District of Columbia for at least 6 months;</p> <p>(ii) the defendant cannot be found after diligent efforts; or</p> <p>(iii) the defendant, by concealment, seeks to avoid service of process.</p> <p>(B) Manner of Publication. An order of publication must be published in at least one legal newspaper or periodical of daily circulation and any other newspaper or</p>					
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	<p>periodical specifically designated by the court, at least once a week for 3 successive weeks or as otherwise ordered by the court.</p> <p>(C) Definition of Legal Newspaper or Periodical. A legal newspaper or periodical means a publication designated by the court that is:</p> <p>(i) devoted primarily to publication of opinions, notices, and other information from the District of Columbia courts;</p> <p>(ii) circulated generally to the legal community; and</p> <p>(iii) published at least on each weekday that the court is in session.</p> <p>(D) Posting Order of Publication in the Clerk’s Office and the Court’s Website. In accordance with D.C. Code § 13-340 (2018 Supp.), in a divorce or child custody proceeding, on a finding that the plaintiff is unable to pay the cost of publishing without substantial hardship to the plaintiff or the plaintiff’s family, the court may permit publication to be made by posting the order of publication in the clerk’s office and on the court’s website for 21 days.</p> <p>(5) Serving a Minor or Incompetent Person. A minor or an incompetent person in the United States must be served by following District of Columbia law (D.C. Code §§ 13-332, -333 (2012 Repl.)) or the state law for serving a summons or like process on such a defendant in an action brought in the courts of general jurisdiction of the state where service is made. A minor or an incompetent person who is not within the United States must be served in the manner prescribed by Rule 4(g)(2)(A), (g)(2)(B), or (g)(3).</p> <p>(6) Manner of Conducting Service. Service of process under Rule 4(c)(2)(A)-(J) may, at the plaintiff’s or the court’s election, be attempted</p>					
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<p>either concurrently or successively.</p> <p>(d) Serving a Notice of Hearing and Order Directing Appearance. A Notice of Hearing and Order Directing Appearance must be served on the defendant, respondent, or other named person, along with the complaint, petition, or motion, in one of the following ways:</p> <p>(1) by any person who is at least 18 years of age and not a party:</p> <p>(A) delivering a copy of each to that individual personally;</p> <p>(B) leaving a copy of each at the individual's dwelling or usual place of abode with someone of suitable age and discretion who resides there; or</p> <p>(C) leaving a copy of each at the individual's place of employment with someone of suitable age and discretion;</p> <p>(2) by mailing a copy of each to the person to be served at the person's dwelling or usual place of abode or at the person's place of employment, by certified mail, return receipt requested, and also by separate first-class mail;</p> <p>(3) by the Metropolitan Police Department as authorized by D.C. Code § 13-302.01 (2012 Repl.);</p> <p>(4) by a United States marshal or deputy marshal as authorized by D.C. Code § 13- 302 (2012 Repl.); or</p> <p>(5) in any manner authorized by applicable statute.</p> <p><u>D.C. Code § 16-1042(d)(4)</u></p> <p><u>Judicial enforcement of order</u></p> <p>(d) A foreign protection order is valid if it:</p> <p>(4) Was issued after the respondent was given reasonable notice and had an</p>					
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	opportunity to be heard before the tribunal issued the order or, in the case of an ex parte order, the respondent was given notice and has had or will have an opportunity to be heard within a reasonable time after the order was issued, in a manner consistent with the rights of the respondent to due process.					
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<p>FLORIDA</p> <p>Injunction for Protection Against Domestic Violence</p> <p>Fla. Stat. Ann. § 741.30</p> <p>Fla. Stat. Ann. § 741.315</p> <p>Fla. R. Gen. Prac. & Jud. Admin. 2.516</p>	<p>Fla. Stat. Ann. § 741.30(4), (8)(a), (c) Domestic violence; injunction; powers and duties of court and clerk; petition; notice and hearing; temporary injunction; issuance of injunction; statewide verification system; enforcement; public records exemption</p> <p>(4) Upon the filing of the petition, the court shall set a hearing to be held at the earliest possible time. The respondent shall be personally served with a copy of the petition, financial affidavit, Uniform Child Custody Jurisdiction and Enforcement Act affidavit, if any, notice of hearing, and temporary injunction, if any, prior to the hearing.</p> <p>(8)</p> <p>(a)</p> <p>1. Within 24 hours after the court issues an injunction for protection against domestic violence, the clerk of the court shall electronically transmit a copy of the petition, financial affidavit, Uniform Child Custody Jurisdiction and Enforcement Act affidavit, if any, notice of hearing, and temporary injunction, if any, to the sheriff or a law enforcement agency of the county where the respondent resides or can be found, who shall serve it upon the respondent as soon thereafter as possible on any day of the week and at any time of the day or night. An electronic copy of an injunction must be certified by the clerk of the court, and the electronic copy must be served in the same manner as a certified copy. Upon receiving an electronic copy of the injunction, the sheriff must verify receipt with the sender before attempting to serve it upon the respondent. In addition, if the sheriff is in possession of</p>	<p>Petitions and temporary injunctions must be served personally.</p> <p>Statute does not expressly state how final injunctions are served, but it appears to require personal service. See Fla. Stat. Ann. § 741.30(8)(a).</p> <p>In the event a party fails or refuses to acknowledge the receipt of a certified copy of an order, the clerk shall note on the original order that service was effected. If delivery at the hearing is not possible, the clerk shall mail certified copies of the order to the parties at the last known address of each party. Service by mail is complete upon mailing.</p>	<p>Petitions and temporary injunctions must be served before the hearing on the final injunction.</p> <p>Final injunctions must be forwarded within 24 hours to the sheriff with jurisdiction over the petitioner, so that it may be served. The statute uses the phrase “as soon thereafter as possible on any day of the week and at any time of the day or night” but does not specify further.</p>	<p>Statute is silent.</p>	<p>E-service is only allowed for pleadings after the initial pleading (the complaint). E-service must then be made by e-mail unless parties agree to another form of e-service.</p>	<p>Petitions and temporary injunctions can be served by the sheriff or law enforcement agency of the county where the respondent resides.</p> <p>Statute does not expressly state who is authorized to serve final injunctions, but § 741.30(8)(a)(c) implies that they must be served by a law enforcement agency.</p>
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	<p>an injunction for protection that has been certified by the clerk of the court, the sheriff may electronically transmit a copy of that injunction to a law enforcement officer who shall serve it in the same manner as a certified copy. The clerk of the court is responsible for furnishing to the sheriff such information on the respondent's physical description and location as is required by the department to comply with the verification procedures set forth in this section. Notwithstanding any other law to the contrary, the chief judge of each circuit, in consultation with the appropriate sheriff, may authorize a law enforcement agency within the jurisdiction to effect service. A law enforcement agency serving injunctions pursuant to this section must use service and verification procedures consistent with those of the sheriff.</p> <p>2. When an injunction is issued, if the petitioner requests the assistance of a law enforcement agency, the court may order that an officer from the appropriate law enforcement agency accompany the petitioner and assist in placing the petitioner in possession of the dwelling or residence, or otherwise assist in the execution or service of the injunction. A law enforcement officer must accept a copy of an injunction for protection against domestic violence, certified by the clerk of the court, from the petitioner and immediately serve it upon a respondent who has been located but not yet served.</p> <p>3. All orders issued, changed, continued, extended, or vacated subsequent to the original service of documents enumerated under subparagraph 1. must be certified</p>					
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	<p>by the clerk of the court and delivered to the parties at the time of the entry of the order. The parties may acknowledge receipt of such order in writing on the face of the original order. In the event a party fails or refuses to acknowledge the receipt of a certified copy of an order, the clerk shall note on the original order that service was effected. If delivery at the hearing is not possible, the clerk shall mail certified copies of the order to the parties at the last known address of each party. Service by mail is complete upon mailing. When an order is served pursuant to this subsection, the clerk shall prepare a written certification to be placed in the court file specifying the time, date, and method of service and shall notify the sheriff.</p> <p>(c)</p> <p>1. Within 24 hours after the court issues an injunction for protection against domestic violence or changes, continues, extends, or vacates an injunction for protection against domestic violence, the clerk of the court must forward a certified copy of the injunction for service to the sheriff with jurisdiction over the residence of the petitioner. The injunction must be served in accordance with this subsection.</p> <p>2. Within 24 hours after service of process of an injunction for protection against domestic violence upon a respondent, the law enforcement officer must forward the written proof of service of process to the sheriff with jurisdiction over the residence of the petitioner.</p> <p>3. Within 24 hours after the sheriff receives a certified copy of the injunction</p>					
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	<p>for protection against domestic violence, the sheriff must make information relating to the injunction available to other law enforcement agencies by electronically transmitting such information to the department.</p> <p>4. Within 24 hours after the sheriff or other law enforcement officer has made service upon the respondent and the sheriff has been so notified, the sheriff must make information relating to the service available to other law enforcement agencies by electronically transmitting such information to the department.</p> <p>5. Subject to available funding, the Florida Association of Court Clerks and Comptrollers shall develop an automated process by which a petitioner may request notification of service of the injunction for protection against domestic violence and other court actions related to the injunction for protection. The automated notice shall be made within 12 hours after the sheriff or other law enforcement officer serves the injunction upon the respondent. The notification must include, at a minimum, the date, time, and location where the injunction for protection against domestic violence was served. The Florida Association of Court Clerks and Comptrollers may apply for any available grants to fund the development of the automated process.</p> <p>6. Within 24 hours after an injunction for protection against domestic violence is vacated, terminated, or otherwise rendered no longer effective by ruling of the court, the clerk of the court must notify the sheriff receiving original notification of the injunction as provided</p>					
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	<p>in subparagraph 2. That agency shall, within 24 hours after receiving such notification from the clerk of the court, notify the department of such action of the court.</p> <p><u>Fla. Stat. Ann. § 741.315(3)(b), (4)(c)-(d):</u> Recognition of foreign protection orders (3) Notwithstanding s. 55.505 or any other provision to the contrary, neither residence in this state nor registration of foreign injunctions for protection shall be required for enforcement of this order by this state and failure to register the foreign order shall not be an impediment to its enforcement. The following registration procedure shall be available to protected persons who hold orders from a court of a foreign state.</p> <p>(b) The sheriff shall examine the certified copy of the foreign order and register the order in the injunction registry, noting that it is a foreign order of protection. If not apparent from the face of the certified copy of the foreign order, the sheriff shall use best efforts to ascertain whether the order was served on the respondent. The Florida Department of Law Enforcement shall develop a special notation for foreign orders of protection. The sheriff shall assign a case number and give the protected person a receipt showing registration of the foreign order in this state. There shall be no fee for registration of a foreign order.</p> <p>(4)</p> <p>(d) Service may be verified as follows:</p> <p>1. By petitioner: Petitioner may state under oath that to the best of petitioner's knowledge, respondent was served with the order of protection because petitioner was present at time of service; respondent</p>					
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	<p>told petitioner he or she was served; another named person told petitioner respondent was served; or respondent told petitioner he or she knows of the content of the order and date of the return hearing.</p> <p>2. By respondent: Respondent states under oath that he or she was or was not served with the order.</p>					
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<p>GEORGIA</p> <p>Family Violence Protection Order</p> <p>Ga. Code Ann. § 19-3-3(e)</p> <p>GA. Code Ann. § 9-11-4</p>	<p><u>Ga. Code Ann. § 19-13-3(e)</u></p> <p>(e) If the court finds a party is avoiding service to delay a hearing, the court may delay dismissal of the petition for an additional 30 days.</p> <p><u>GA. Code Ann. § 9-11-4(b), (c) Process</u></p> <p>(b) Summons -- Form. The summons shall be signed by the clerk; contain the name of the court and county and the names of the parties; be directed to the defendant; state the name and address of the plaintiff's attorney, if any, otherwise the plaintiff's address; and state the time within which this chapter requires the defendant to appear and file appropriate defensive pleadings with the clerk of the court, and shall notify the defendant that in case of the defendant's failure to do so judgment by default will be rendered against him or her for the relief demanded in the complaint.</p> <p>(c) Summons -- By whom served. Process shall be served by:</p> <p>(1) The sheriff of the county where the action is brought or where the defendant is found or by such sheriff's deputy;</p> <p>(2) The marshal or sheriff of the court or by such official's deputy;</p> <p>(3) Any citizen of the United States specially appointed by the court for that purpose;</p> <p>(4) A person who is not a party, not younger than 18 years of age, and has been appointed by the court to serve process or as a permanent process server; or</p> <p>(5) A certified process server as provided in Code Section 9-11-4.1.</p> <p>Where the service of process is made outside of the United States, after an order of publication, it may be served either by</p>	<p>Based on Sheriff's Department</p>	<p>Statute is silent.</p>	<p>Statute is silent.</p>	<p>Statute is silent.</p>	<p>Service is to be handled by the sheriff of the county where the action is brought or where the defendant is found or by such sheriff's deputy. Service made be made by the sheriff's department, a court official, any citizen of the United States specifically appointed by the court for that purpose or a person who is not a party, not younger than 18 years of age, and has been appointed by the court to serve process or as a permanent process server</p>
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	any citizen of the United States or by any resident of the country, territory, colony, or province who is specially appointed by the court for that purpose. When service is to be made within this state, the person making such service shall make the service within five days from the time of receiving the summons and complaint; but failure to make service within the five-day period will not invalidate a later service.					
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GUAM	7 GCA Section 40106 Notification	A copy of any Protection from Abuse, Sexual Offense Protection, or Stalking Protection Order must be issued to the defendant.	Statute is silent.	Statute is unclear.	Statute is silent.	The Marshals Division of the Superior Court of Guam will serve all Orders of Protection and Show Cause Orders upon order of the Court, or at the request of the Petitioner.
Protection from Abuse Order	A copy of any order under this Chapter shall be issued to the plaintiff, the defendant and the Guam Police Department with appropriate jurisdiction to enforce the order or agreement.					
Sexual Offense Protection Order	7 GCA Section 40A109					
	A copy of any order under this Chapter shall be issued to the plaintiff, the defendant, and the Guam Police Department with appropriate jurisdiction to enforce the order or agreement.					
Stalking Protection Order	7 GCA Section 40B109					
	A copy of any order under this Chapter shall be issued to the plaintiff, the defendant, and the Guam Police Department with appropriate jurisdiction to enforce the order or agreement					
7 GCA Section 40106						
7 GCA Section 40A109	Guam Super. Ct. MR 2.1.6					
	Service of Orders of Protection and Show Cause Orders. The Marshals Division of the Superior Court of Guam will serve all Orders of Protection and Show Cause Orders upon order of the Court, or at the request of the Petitioner. The Petitioner or his/her attorney should provide complete and detailed information on the whereabouts of the Respondent. If the Respondent is incarcerated the Petitioner should notify the Marshals of the date of arrest.					
7 GCA Section 40B109						
Guam Super. Ct. MR 2.1.6						

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<p>HAWAII</p> <p>Order of Protection Due to Family Violence</p> <p>Haw. Rev. Stat. Ann. § 586-6</p> <p>Haw. Rev. Stat. Ann. § 586-22</p>	<p>Haw. Rev. Stat. Ann. § 586-6 Notice of order.</p> <p>(a) Any order issued under this chapter shall either be personally served upon the respondent, or served by certified mail, unless the respondent was present at the hearing in which case the respondent shall be deemed to have notice of the order. A filed copy of each order issued under this chapter shall be served by regular mail upon the chief of police of each county.</p> <p>(b) Except as otherwise provided in this chapter or in the order, a law enforcement officer as defined in section 701-118 may use a reliable copy, facsimile telecommunication, or other reliable reproduction of an order issued pursuant to this chapter in lieu of the original order for purposes of this section. Any such copy, facsimile telecommunication, or other reproduction shall be a complete reproduction of the entire original order and may only be transmitted from law enforcement officer to law enforcement officer until served.</p> <p>Haw. Rev. Stat. Ann. § 586-22 Valid protective order.</p> <p>(a) A protective order issued by another state, tribe, or territory shall be considered valid if:</p> <p>(1) The issuing court or tribunal had jurisdiction over the parties and matter under the laws of the state, tribe, or territory; and</p> <p>(2) the respondent received notice and an opportunity to be heard before the foreign protective order was issued; provided that, in the case of an ex parte order, notice and opportunity to be heard were provided within a reasonable period of time,</p>	<p>All protection orders can be served personally or by certified mail.</p> <p>If the respondent was present at a hearing, service is not necessary.</p>	<p>Statute is silent on in-state protective orders Statute specifies that in the case of enforcing out-of-state protective orders, notice needs to be provided “within a reasonable period of time.”</p>	<p>Statute is silent.</p>	<p>Statute is silent.</p>	<p>Statute is unclear.</p>
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	<p>sufficient to protect the respondent's right to due process.</p> <p>(b) Failure to provide reasonable notice and opportunity to be heard shall be an affirmative defense to any charge or process filed seeking enforcement of an out-of-state protective order.</p>					
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<p>IDAHO</p> <p>Protection Order</p> <p>Idaho Code § 39-6310</p> <p>Idaho Code § 39-6306a</p> <p>Idaho Code § 39-6309</p>	<p>Idaho Code § 39-6310 Order and service</p> <p>(1) An order issued under this chapter along with a copy of the petition for a protection order, if the respondent has not previously received the petition, shall be personally served upon the respondent, except as provided in subsections (6), (7) and (8) of this section.</p> <p>(2) A peace officer of the jurisdiction in which the respondent resides shall serve the respondent personally unless the petitioner elects to have the respondent served by a private party at the petitioner's own expense.</p> <p>(3) If service by a peace officer is to be used, the clerk of the court shall have a copy of any order issued under this chapter and a copy of the petition for a protection order, if the respondent has not previously received the petition, forwarded on or before the next judicial day to the appropriate law enforcement agency specified in the order for service upon the respondent. Service of an order issued under this chapter shall take precedence over the service of other documents unless they are of a similar emergency nature.</p> <p>(4) If the peace officer cannot complete service upon the respondent within ten (10) days, the sheriff or municipal peace officer shall notify the petitioner. The petitioner shall provide information sufficient to permit notification.</p> <p>(5) Returns of service under this chapter shall be made in accordance with the applicable court rules.</p> <p>(6) If an order entered by the court recites that the respondent appeared in person before the court and receives a copy of the order, the necessity for further service is waived and proof of service of that order is not necessary.</p>	<p>Normally, the respondent must be personally served.</p> <p>If the respondent appears at a hearing, service is automatically waived.</p> <p>If the respondent has waived service, then any further documents can be delivered by mail.</p>	<p>Statute is silent.</p>	<p>If the peace officer cannot complete service within ten (10) days, the sheriff or municipal peace officer shall notify the petitioner. The petitioner shall provide information sufficient to permit notification.</p>	<p>Statute is silent.</p>	<p>Peace officer</p> <p>Private party (but it will be at the petitioner's expense)</p>
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	<p>(7) If a party has appeared in person before the court and has waived personal service, the clerk of the court shall complete service of any notice of hearing or orders or modifications by certified mail to the party's address as shown on the court petition which resulted in the issuance of the order or modification. Parties shall at all times keep the court informed of their current mailing address.</p> <p>(8) If a foreign protection order is registered with the court under section 39-6306A, Idaho Code, the necessity for further service is waived and proof of service of that order is not necessary.</p> <p>Idaho Code § 39-6306A(3)(d)(iv), (4)(c) Uniform interstate enforcement of domestic violence protection orders act</p> <p>(3) Judicial Enforcement of Order. (d) A foreign protection order is valid if it: (iv) Was issued after the respondent was given reasonable notice and had an opportunity to be heard before the tribunal issued the order or, in the case of an order ex parte, the respondent was given notice and has had or will have an opportunity to be heard within a reasonable time after the order was issued, in a manner consistent with the rights of the respondent to due process.</p> <p>(4) Nonjudicial Enforcement of Order. (c) If a law enforcement officer of this state determines that an otherwise valid foreign protection order cannot be enforced because the respondent has not been notified or served with the order, the officer shall inform the respondent of the order, make a reasonable effort to serve the order upon the respondent, and allow the</p>					
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	<p>respondent a reasonable opportunity to comply with the order before enforcing the order.</p> <p>Idaho Code § 39-6309 Issuance of order -- Assistance of peace officer -- Designation of appropriate law enforcement agency</p> <p>When an order is issued or a foreign protection order is recognized under this chapter upon request of the petitioner, the court may order a peace officer to accompany the petitioner and assist in placing the petitioner in possession of the dwelling or residence, or otherwise assist in the execution of the protection order. A certified copy of the order shall be prepared by the clerk for transmittal to the appropriate law enforcement agency as specified in section 39-6311, Idaho Code. Orders issued or foreign protection orders recognized under this chapter shall include an instruction to the appropriate law enforcement agency to execute, serve, or enforce the order.</p>					
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<p>ILLINOIS</p> <p>Civil Orders of Protection</p> <p>750 Ill. Comp. Stat. Ann. 60/210</p> <p>750 Ill. Comp. Stat. Ann. 60/210.1</p> <p>750 Ill. Comp. Stat. Ann. 60/222</p> <p>750 Ill. Comp. Stat. Ann. 60/222.10</p> <p>Ill. Sup. Ct., R 102</p>	<p>750 Ill. Comp. Stat. Ann. 60/210 Process</p> <p>(a) Summons. Any action for an order of protection, whether commenced alone or in conjunction with another proceeding, is a distinct cause of action and requires that a separate summons be issued and served, except that in pending cases the following methods may be used:</p> <p>(1) By delivery of the summons to respondent personally in open court in pending civil or criminal cases.</p> <p>(2) By notice in accordance with Section 210.1 [750 ILCS 60/210.1] in civil cases in which the defendant has filed a general appearance.</p> <p>The summons shall be in the form prescribed by Supreme Court Rule 101(d), except that it shall require respondent to answer or appear within 7 days. Attachments to the summons or notice shall include the petition for order of protection and supporting affidavits, if any, and any emergency order of protection that has been issued. The enforcement of an order of protection under Section 223 [750 ILCS 60/223] shall not be affected by the lack of service, delivery, or notice, provided the requirements of subsection (d) of that Section are otherwise met.</p> <p>(b) Blank.</p> <p>(c) Expedited service. The summons shall be served by the sheriff or other law enforcement officer at the earliest time and shall take precedence over other summonses except those of a similar emergency nature. Special process servers may be appointed at any time, and their designation shall not affect the responsibilities and authority of the sheriff or other official process servers. In counties with</p>	<p>If the protection order is sought in conjunction with another civil proceeding where the respondent has made a general appearance, then summons to appear at a protection order hearing shall be served by personal delivery to the respondent or their attorney, delivery to the respondent's attorney's office, mail to the respondent's address, or commercial delivery to the respondent's address.</p> <p>Final or ex parte orders can be served personally.</p>	<p>Orders must be served promptly.</p>	<p>750 Ill. Comp. Stat. Ann. 60/222.10 Short form notification</p> <p>(a) Instead of personal service of an order of protection under Section 222 [750 ILCS 60/222], a sheriff, other law enforcement official, special process server, or personnel assigned by the Department of Corrections or Department of Juvenile Justice to investigate the alleged misconduct of committed persons or alleged violations of a parolee's or releasee's conditions of parole, aftercare release, or mandatory supervised release may serve a respondent with a short form notification. The short form notification must</p>	<p>If service upon an individual defendant is impractical under regular process, the plaintiff may move, without notice under 735 Ill. Comp. Stat. Ann 5-2-203.1, that the court enter an order directing a comparable method of service.</p> <p>And if the court is satisfied that the defendant/respondent has access to and the ability to use the necessary technology to receive and read the summons and documents electronically, the court may allow the methods of service by social media/e-mail/text message.</p> <p>Ill. Sup. Ct., R 102</p> <p>735 Ill. Comp. Stat. Ann. 5/2-203.1</p>	<p>Final orders, ex parte orders, and summons to appear at hearings can be served by a sheriff, other law enforcement officer, or specially appointed process servers. In counties with a population over 3,000,000, a special process server may not be appointed if the order of protection grants the surrender of a child, the surrender of a firearm or firearm owners identification card, or the exclusive possession of a shared residence.</p>
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	<p>a population over 3,000,000, a special process server may not be appointed if the order of protection grants the surrender of a child, the surrender of a firearm or firearm owners identification card, or the exclusive possession of a shared residence.</p> <p>(d) Remedies requiring actual notice. The counseling, payment of support, payment of shelter services, and payment of losses remedies provided by paragraphs 4, 12, 13, and 16 of subsection (b) of Section 214 [750 ILCS 60/214] may be granted only if respondent has been personally served with process, has answered or has made a general appearance.</p> <p>(e) Remedies upon constructive notice. Service of process on a member of respondent's household or by publication shall be adequate for the remedies provided by paragraphs 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 14, 15, and 17 of subsection (b) of Section 214, but only if: (i) petitioner has made all reasonable efforts to accomplish actual service of process personally upon respondent, but respondent cannot be found to effect such service and (ii) petitioner files an affidavit or presents sworn testimony as to those efforts.</p> <p>(f) Default. A plenary order of protection may be entered by default as follows:</p> <p>(1) For any of the remedies sought in the petition, if respondent has been served or given notice in accordance with subsection (a) and if respondent then fails to appear as directed or fails to appear on any subsequent appearance or hearing date agreed to by the parties or set by the court; or</p> <p>(2) For any of the remedies provided in accordance with subsection (e), if respondent fails to answer or appear in</p>			<p>include the following items:</p> <p>(1) The respondent's name.</p> <p>(2) The respondent's date of birth, if known.</p> <p>(3) The petitioner's name.</p> <p>(4) The names of other protected parties.</p> <p>(5) The date and county in which the order of protection was filed.</p> <p>(6) The court file number.</p> <p>(7) The hearing date and time, if known.</p> <p>(8) The conditions that apply to the respondent, either in checklist form or handwritten.</p> <p>(b) The short form notification must contain the following notice in bold print:</p> <p>"The order is now enforceable. You</p>		
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	<p>accordance with the date set in the publication notice or the return date indicated on the service of a household member.</p> <p>(g) Emergency orders. If an order is granted under subsection (c) of Section 217, the court shall immediately file a certified copy of the order with the sheriff or other law enforcement official charged with maintaining Department of State Police records.</p> <p>750 Ill. Comp. Stat. Ann. 60/210.1 Service of notice in conjunction with a pending civil case</p> <p>(a) Notice. When an action for an order of protection is sought in conjunction with a pending civil case in which the court has obtained jurisdiction over respondent, and respondent has filed a general appearance, then a separate summons need not issue. Original notice of a hearing on a petition for an order of protection may be given, and the documents served, in accordance with Illinois Supreme Court Rules 11 and 12. When, however, an emergency order of protection is sought in such a case on an ex parte application, then the procedure set forth in subsection (a) of Section 210 [750 ILCS 60/210] (other than in subsection (a)(2)) shall be followed. If an order of protection is issued using the notice provisions of this Section, then the order of protection or extensions of that order may survive the disposition of the main civil case. The enforcement of any order of protection under Section 223 [750 ILCS 60/223] shall not be affected by the lack of notice under this Section, provided the requirements of subsection (d) of that Section are otherwise met.</p>			<p>must report to the office of the sheriff or the office of the circuit court in (name of county) County to obtain a copy of the order. You are subject to arrest and may be charged with a misdemeanor or felony if you violate any of the terms of the order.”</p> <p>(c) Upon verification of the identity of the respondent and the existence of an unserved order against the respondent, a sheriff or other law enforcement official may detain the respondent for a reasonable time necessary to complete and serve the short form notification.</p> <p>(d) When service is made by short form notification under this Section, it may be proved by the affidavit of</p>		
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	<p>(b) Default. The form of notice described in subsection (a) shall include the following language directed to the respondent: A 2-year plenary order of protection may be entered by default for any of the remedies sought in the petition if you fail to appear on the specified hearing date or on any subsequent hearing date agreed to by the parties or set by the court.</p> <p>(c) Party to give notice. Notice in the pending civil case shall be given (i) by either party under this Section, with respect to extensions, modifications, hearings, or other relief pertinent to an order of protection, in accordance with Illinois Supreme Court Rules 11 and 12 or (ii) by the respondent as provided in subsection (c) of Section 224 [750 ILCS 60/224].</p> <p>750 Ill. Comp. Stat. Ann. 60/222(c)-(d) Notice of orders</p> <p>(c) Service by sheriff. Unless respondent was present in court when the order was issued, the sheriff, other law enforcement official or special process server shall promptly serve that order upon respondent and file proof of such service, in the manner provided for service of process in civil proceedings. Instead of serving the order upon the respondent, however, the sheriff, other law enforcement official, special process server, or other persons defined in Section 222.10 [750 ILCS 60/222.10] may serve the respondent with a short form notification as provided in Section 222.10. If process has not yet been served upon the respondent, it shall be served with the order or short form notification if such service is made by the sheriff, other law enforcement official, or special process server.</p>			<p>the person making the service.</p> <p>(e) The Attorney General shall make the short form notification form available to law enforcement agencies in this State.</p> <p>(f) A single short form notification form may be used for orders of protection under this Act, stalking no contact orders under the Stalking No Contact Order Act [740 ILCS 21/1 et seq.], and civil no contact orders under the Civil No Contact Order Act [740 ILCS 22/101 et seq.].</p>		
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<p>A single fee may be charged for service of an order obtained in civil court, or for service of such an order together with process, unless waived or deferred under Section 210 [750 ILCS 60/210].</p> <p>(c-5) If the person against whom the order of protection is issued is arrested and the written order is issued in accordance with subsection (c) of Section 217 [750 ILCS 60/217] and received by the custodial law enforcement agency before the respondent or arrestee is released from custody, the custodial law enforcement agent shall promptly serve the order upon the respondent or arrestee before the respondent or arrestee is released from custody. In no event shall detention of the respondent or arrestee be extended for hearing on the petition for order of protection or receipt of the order issued under Section 217 of this Act.</p> <p>(d) Extensions, modifications and revocations. Any order extending, modifying or revoking any order of protection shall be promptly recorded, issued and served as provided in this Section.</p> <p>750 ILCS 60/222.10 Short form notification</p> <p>(a) Instead of personal service of an order of protection under Section 222 [750 ILCS 60/222], a sheriff, other law enforcement official, special process server, or personnel assigned by the Department of Corrections or Department of Juvenile Justice to investigate the alleged misconduct of committed persons or alleged violations of a parolee's or releasee's conditions of parole, aftercare release, or mandatory supervised release may serve a respondent with a short form notification. The short form notification must include the following items:</p>					
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	<p>(1) The respondent's name.</p> <p>(2) The respondent's date of birth, if known.</p> <p>(3) The petitioner's name.</p> <p>(4) The names of other protected parties.</p> <p>(5) The date and county in which the order of protection was filed.</p> <p>(6) The court file number.</p> <p>(7) The hearing date and time, if known.</p> <p>(8) The conditions that apply to the respondent, either in checklist form or handwritten.</p> <p>(b) The short form notification must contain the following notice in bold print: "The order is now enforceable. You must report to the office of the sheriff or the office of the circuit court in (name of county) County to obtain a copy of the order. You are subject to arrest and may be charged with a misdemeanor or felony if you violate any of the terms of the order."</p> <p>(c) Upon verification of the identity of the respondent and the existence of an unserved order against the respondent, a sheriff or other law enforcement official may detain the respondent for a reasonable time necessary to complete and serve the short form notification.</p> <p>(d) When service is made by short form notification under this Section, it may be proved by the affidavit of the person making the service.</p> <p>(e) The Attorney General shall make the short form notification form available to law enforcement agencies in this State.</p> <p>(f) A single short form notification form may be used for orders of protection under this Act, stalking no contact orders under the Stalking No Contact Order Act [740 ILCS 21/1 et seq.], and civil no contact orders under the Civil No Contact Order Act [740 ILCS 22/101 et seq.].</p>					
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	<p>Ill. Sup. Ct., R 11 Manner of Serving Documents Other Than Process and Complaint on Parties Not in Default in the Trial and Reviewing Courts</p> <p>(a) On Whom Made. If a party is represented by an attorney of record, service shall be made upon the attorney. Otherwise service shall be made upon the party.</p> <p>(b) E-mail Address. An attorney must include on the appearance and on all pleadings filed in court an e-mail address to which documents and notices will be served in conformance with Rule 131(d). A self-represented litigant who has an e-mail address must also include the e-mail address on the appearance and on all pleadings filed in court to which documents and notices will be served in conformance with Rule 131(d).</p> <p>(c) Method. Unless otherwise specified by rule or order of court, documents shall be served electronically.</p> <p>(1) Electronic service may be made on a party via e-mail or through an approved electronic filing service provider (EFSP) to the following e-mail addresses:</p> <ul style="list-style-type: none">(i) the e-mail address(es) currently listed in the party's filed appearance;(ii) the e-mail address(es) currently entered by the party into the EFSP; or(iii) the e-mail address(es) provided by the party orally to the court as an address designated for service of legal documents purposes of Rule 11(c)(1) and written by the party or the court on an order or other court-approved form that is made part of the record.					
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	<p>(2) If a self-represented party does not have an e-mail address, or if service other than electronic service is specified by rule or order of court, or if extraordinary circumstances prevent timely electronic service in a particular instance, service of documents may be made by one of the following alternative methods:</p> <p>(i) Personal Service. Delivering the document to the attorney or party personally; (ii) Delivery to Attorney's Office or Self-Represented Party's Residence. Delivery of the document to an authorized person at the attorney's office or in a reasonable receptacle or location at or within the attorney's office. If a party is not represented by counsel, by leaving the document at the party's residence with a family member of the age of 13 years or older;</p> <p>(iii) United States Mail. Depositing the document in a United States post office or post office box, enclosed in an envelope to the party's address, as identified by the party's appearance in the matter, with postage fully prepaid; or</p> <p>(iv) Third-Party Commercial Carrier. Delivery of the document through a third-party commercial carrier or courier, to the party's address, as identified by the party's appearance in the matter, with delivery charge fully prepaid.</p> <p>(d) Multiple Parties or Attorneys. In cases in which there are two or more plaintiffs or defendants who appear by different attorneys, service of all documents shall be made on the attorney for each of the parties. When more than one attorney appears for a party, service upon one of them is sufficient.</p>					
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<p>(e) Notice of E-mail Rejection. If a party serving a document via e-mail receives a rejection message or similar notification suggesting that transmission was not successful, the party serving the document shall make a good-faith effort to alert the intended recipient of a potential transmission problem and take reasonable steps to ensure actual service of the document.</p> <p>(f) Limited Scope Appearance. After an attorney files a Notice of Limited Scope Appearance in accordance with Rule 13(c)(6), service of all documents shall be made on both the attorney and the party represented on a limited scope basis until: (1) the court enters an order allowing the attorney to withdraw under Rule 13(c) or (2) the attorney's representation automatically terminates under Rule 13(c)(7)(ii).</p> <p>Ill. Sup. Ct., R 102 Service of Summons and Complaint; Return</p> <p>(a) Placement for Service. Promptly upon issuance, summons (together with copies of the complaint as required by Rule 104), shall be placed for service with the sheriff or other officer or person authorized to serve process.</p> <p>(b) When Service Must Be Made. No summons in the form provided in paragraph (d) of Rule 101 may be served later than 30 days after its date. A summons in the form provided in paragraph (b)(1) of Rule 101 may not be served later than 21 days before the day for appearance. A summons in the form provided in paragraph (b)(2) or (b)(3) of Rule 101 may not be served later than three days before the day of appearance.</p> <p>(c) Indorsement Showing Date of Service. The officer or other person making service of</p>					
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<p>summons shall indorse the date of service upon the copy left with the defendant/respondent or other person. Failure to indorse the date of service does not affect the validity of service.</p> <p>(d) Return. The officer or person making service shall make a return by filing proof of service immediately after service on all defendants/respondents has been had, and, in any event, shall make a return: (1) in the case of a summons in the form provided in Rule 101(b)(l), not less than 21 days before the day of appearance; (2) in the case of a summons in the form provided in Rule 101(b)(2) or (b)(3), not less than 3 days before that day; (3) in other cases, immediately after the last day fixed for service. If there is more than one defendant/respondent, the proof of service may be filed immediately after service on each defendant/respondent. The proof of service need not state whether a copy of the complaint was served. A party who has placed a summons with an officer or other person who is authorized to serve process, but who does not have access to the court filing system, shall file the proof of service obtained from the officer. Failure to return the summons or file proof of service does not invalidate the summons or the service thereof, if had.</p> <p>(e) Post Card Notification to Plaintiff/Petitioner. If the plaintiff/petitioner furnishes a post card, the officer or other person making service of the summons, immediately upon return of the summons, shall mail to the plaintiff/petitioner or his or her attorney the post card indicating whether or not service has been had, and if so on what date.</p>					
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	<p>(f) Service by Special Order of Court. Upon motion brought pursuant to Section 2-203.1 of the Illinois Code of Civil Procedure, the court may order service of summons and complaint to be made in a manner consistent with due process and subject to provisions of this paragraph.</p> <p>(1) If the court is satisfied that the defendant/respondent has access to and the ability to use the necessary technology to receive and read the summons and documents electronically, the following alternative methods of service or combination of methods of service may be ordered by the court when granting a motion brought pursuant to Section 2-203.1 of the Illinois Code of Civil Procedure (735 ILCS 5/2-203.1).</p> <p>(A) Service by social media. Service by social media shall be made by (i) sending a direct message to the defendant/respondent on a social media platform on which the defendant/respondent has an active profile; (ii) attaching a copy of the summons, complaint/petition, and any other required documents to the direct message; and (iii) stating in the body of the direct message: "Important information-You have been sued. Read all of the documents attached to this message. To participate in the case, you must follow the instructions listed in the attached summons. If you do not the court may decide the case without hearing from you, and you could lose the case."</p> <p>(B) Service by e-mail. Service by e-mail shall be made by (i) sending an e-mail to the defendant/respondent at his or her</p>					
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	<p>current e-mail address; (ii) attaching a copy of the summons, complaint/petition, and any other required documents to the e-mail; (iii) stating in the subject line of the e-mail message : "Important information-You are being sued"; and (iv) stating in the body of the e-mail: "You have been sued. Read all of the documents attached to this e-mail. To participate in the case, you must follow the instructions listed in the attached summons. If you do not, the court may decide the case without hearing from you. and you could lose the case."</p> <p>(C) Service by Text Message. Service by text message shall be made by (i) sending a text message to the defendant/respondent's cellular telephone number; (ii) attaching a copy of the summons, complaint/petition, and any other required documents to the text message; and (3) stating in the body of the text message: "Important information-You have been sued. Read all of the documents attached to this message. To participate in the case, you must follow the instructions listed in the attached summons. If you do not, the court may decide the case without hearing from you, and you could lose the case."</p> <p>(2) In addition to the affidavit requirements of section 2-203.1 of the Illinois Code of Civil Procedure, a movant requesting service by text message, e-mail, or social media shall include in the supporting affidavit the reasons the movant believes the defendant/respondent has recently sent and received transmissions from a specific</p>					
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	<p>e-mail address or telephone number or the defendant/respondent maintains an active social media account on the specific platform utilized for service.</p> <p>(3) Within 10 days of service of notice by special order of Court, the plaintiff/petitioner shall send a copy of the summons, complaint/petition, and any other required documents by mail, to the address of defendant's/respondent's last known residence.</p> <p>(4) Return of Service by Special Order of Court. The person serving defendant/respondent pursuant to special order of court shall file a proof of service as directed by the court. If service is by social media, e-mail, or text message as described in paragraph (f)(1), the proof of service shall contain, at a minimum, the following:</p> <p>(A) The details of how service was made, including the date service was made; the identity of the social media platform, cellular telephone number, and/or e-mail address used; the address of defendant's/respondent's last known residence; that a copy of the summons, complaint/petition, and any other required documents were attached to the message; and the date on which a copy of the summons, complaint/petition, and any other required documents were mailed to defendant's/respondent's last known residence; and</p> <p>(B) A screen print of the social media direct message, a copy of the sent e-mail transmission, a screen print of the text message, and/or any other evidence of proof of service the court determines to be equivalent.</p>					
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<p>INDIANA</p> <p>Order of Protection Due to Domestic Violence</p> <p>Burns Ind. Code Ann. § 34-26-5-9</p> <p>Workplace Violence Restraining Orders</p> <p>Burns Ind. Code Ann. § 34-26-6-10</p>	<p><u>Ind. Code Ann. § 34-26-5-9(e)-(g) Relief</u></p> <p>(e) The court shall:</p> <p> (1) cause the order for protection to be delivered to the county sheriff for service;</p> <p> (2) make reasonable efforts to ensure that the order for protection is understood by a petitioner and a respondent if present;</p> <p> (3) electronically notify each law enforcement agency:</p> <p> (A) required to receive notification under IC 5-2-9-6; or</p> <p> (B) designated by the petitioner;</p> <p> (4) transmit a copy of the order to the clerk for processing under IC 5-2-9;</p> <p> (5) indicate in the order if the order and the parties meet the criteria under 18 U.S.C. 922(g)(8); and</p> <p> (6) require the clerk of court to enter or provide a copy of the order to the Indiana protective order registry established by IC 5-2-9-5.5.</p> <p>(f) Except as provided in subsection (g), an order for protection issued ex parte or upon notice and a hearing, or a modification of an order for protection issued ex parte or upon notice and a hearing, is effective for two (2) years after the date of issuance unless another date is ordered by the court. The sheriff of each county shall provide expedited service for an order of protection.</p> <p>(g) This subsection applies to an order for protection issued ex parte or upon notice and a hearing, if</p> <p> (1) the respondent names in the order is a sex or violent offender (as defined in IC 11-8-8-5) and is required to register as a lifetime sex or violent offender under IC 11-8-8-19; and</p> <p> (2) the petitioner was the victim of a crime</p>	<p>Statute is silent.</p>	<p>Orders must be served in an expedited manner. Statute does not provide a specific deadline.</p>	<p>Statute is silent.</p>	<p>Statute is silent.</p>	<p>County sheriff</p>
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	<p>that resulted in the requirement that the respondent register as a lifetime sex or violent offender under IC 11-8-8-19. An order for protection to which this subsection applies is effective indefinitely after the date of issuance unless another date is ordered by the court. The sheriff of each county shall provide expedited service for an order of protection.</p> <p><u>Ind. Code Ann. § 34-26-6-10. Service to Defendant.</u></p> <p>A defendant shall be personally served with a copy of the petition, temporary restraining order, if any, and a notice of the hearing not less than five (5) days before the hearing. However, the court may, for good cause, upon the filing of a motion by a plaintiff or upon the court's own motion, shorten the time for service on the defendant.</p>					
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<p>IOWA</p> <p>Protective Order</p> <p>Iowa Code § 236A.9</p> <p>Iowa Code § 664A.4A</p> <p>Iowa R. Civ. P. 1.302</p> <p>Iowa R. Civ. P. 1.305</p> <p>Iowa R. Civ. P. 1.306</p> <p>Iowa Code § 236.19</p>	<p><u>Iowa Code § 664A.4A</u> <u>Short-form notification — no-contact order or protective order</u></p> <p>1. In lieu of personal service of a no-contact order or a protective order on a person whose activities are restrained by the order, a sheriff of any county in this state or any peace officer or corrections officer in this state may serve the person with a short-form notification pursuant to this section to effectuate service of an unserved no-contact order or protective order.</p> <p>2. Service of a short-form notification under this section shall be allowed during traffic stops and other contacts with the person by a sheriff, peace officer, or corrections officer in this state in the course of performing official duties. The person may be detained for a reasonable period of time to complete the short-form notification process.</p> <p>3. When the short-form notification process is complete, the sheriff, peace officer, or corrections officer serving the notification shall file a copy of the notification with the clerk of the district court. The filing shall indicate the date and time the notification was served on the person.</p> <p>4. The short-form notification shall be on a form prescribed by the state court administrator. The state court administrator shall prescribe rules relating to the content and distribution of the form to appropriate law enforcement agencies in this state. The form shall include but not be limited to all of the following statements:</p> <p>a. The person shall have no contact with the protected party.</p> <p>b. The person is responsible for obtaining a full copy of the no-contact order or the protective order from the county sheriff of</p>	<p>If any of the following methods fail, the court may order alternate service as necessary.</p> <p>If the respondent is an adult who has not been deemed incompetent:</p> <p>Signature on an acknowledgement of service</p> <p>Personal service</p> <p>Leaving the required documents at their dwelling or usual place of abode with a person living there who is at least 18 years old; unless the place is a rooming house, hotel, club or apartment building, in which case the documents can be left with a person who lives with the respondent, is a member of the family, or is the manager or proprietor of the place.</p>	<p>If service of the original notice is not made upon the defendant, respondent, or other party to be served within 90 days after filing the petition, the court, upon motion or its own initiative after notice to the party filing the petition, shall dismiss the action without prejudice as to that defendant, respondent, or other party to be served or direct an alternate time or manner of service. If the party filing the papers shows good cause for the failure of service, the court shall extend the time for service for an appropriate period. Iowa R. Civ. P. 1.302(5)</p>	<p>A respondent can be served with a short-form notification when they have contact with a sheriff, peace officer, or corrections officer who is acting in the course of their official duties (e.g., a traffic stop).</p> <p>The short-form notification must inform the respondent of the following:</p> <p>The respondent is barred from having contact with the protected party.</p> <p>The respondent is responsible for obtaining a full copy of the order.</p> <p>The respondent is subject to arrest for violating the order.</p>	<p>Statute is silent.</p>	<p>Service can be made by anyone other than a party or a party's attorney.</p>
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	<p>the county in which the order was entered or from the clerk of the district court.</p> <p>c. The terms and conditions of the no-contact order or protective order are enforceable, and the person is subject to arrest for violating the no-contact order or the protective order.</p> <p><u>Iowa R. Civ. P. 1.302 Original notice; form, issuance and service</u></p> <p>A notice to the defendant, respondent, or other party against whom an action has been filed shall be served in the form and manner provided by this rule. This notice shall be called the original notice.</p> <p>1.302</p> <p>(1) The original notice shall contain the following information:</p> <ul style="list-style-type: none"> a. The name of the court and the names of the parties. b. The name, address, telephone number, and if available, the facsimile transmission number of the plaintiff's or petitioner's attorney, if any, otherwise the plaintiff's or petitioner's address. c. The date of the filing of the petition. d. The time within which these rules or statutes require the defendant, respondent, or other party to serve, and within a reasonable time thereafter file, a motion or answer. <p>The original notice shall also state that if the defendant, respondent or other party fails to move or answer, judgment by default may be rendered for the relief demanded in the petition. The original notice shall also include the compliance notice required by the Americans with Disabilities Act (ADA).</p>	<p>Leaving the required documents with the respondent's spouse at a place other than the respondent's dwelling or usual place of abode, if probable cause exists to believe that the spouse lives at the individual's dwelling house or usual place of abode.</p> <p>If the respondent is a minor:</p> <p>Serve the respondent's conservator or guardian, unless that person is the petitioner (in which case the court will appoint another guardian to defend the respondent);</p> <p>Serve the respondent's parent;</p> <p>Serve an adult who has the</p>				
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	<p>A copy of the petition shall be attached to the original notice except when service is by publication. If service is by publication, the original notice alone shall be published and shall also contain a general statement of the claim or claims and, subject to the limitation in rule 1.403(1), the relief demanded.</p> <p>1.302 (2) The original notice shall be signed by the clerk and be under the seal of the court.</p> <p>1.302 (3) An original notice shall be served with a copy of the petition. The plaintiff is responsible for service of an original notice and petition within the time allowed under rule 1.302 (5) and shall furnish the person effecting service with the necessary copies of the original notice and petition. This rule does not apply to small claims actions.</p> <p>1.302 (4) Original notices may be served by any person who is neither a party nor the attorney for a party to the action. A party or party's agent or attorney may take an acknowledgment of service and deliver a copy of the original notice in connection therewith and may mail a copy of the original notice when mailing is required or permitted under any rule or statute.</p> <p>1.302 (5) If service of the original notice is not made upon the defendant, respondent, or other party to be served within 90 days after filing the petition, the court, upon motion or its own initiative after notice to the party filing the petition, shall dismiss</p>	<p>respondent's care and custody, lives with the respondent, or employs the respondent.</p> <p>If the respondent has been judged incompetent but is not confined to a hospital for the mentally ill:</p> <p>Serve the respondent's conservator or guardian, unless that person is the petitioner (in which case the court will appoint another guardian to defend the respondent);</p> <p>Serve the respondent's spouse;</p> <p>Serve an adult who has the respondent's care and custody, or lives with the respondent.</p> <p>If the respondent is confined in a county care facility, a state</p>				
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	<p>the action without prejudice as to that defendant, respondent, or other party to be served or direct an alternate time or manner of service. If the party filing the papers shows good cause for the failure of service, the court shall extend the time for service for an appropriate period.</p> <p><u>Iowa R. Civ. P. 1.305(1)-(5), (12), (14)</u> <u>Personal service</u> Original notices are "served" by delivering a copy to the proper person. Personal service may be made as follows:</p> <p>1.305 (1) Upon any individual who has attained majority and who has not been adjudged incompetent, either by taking the individual's signed, dated acknowledgment of service endorsed on the notice; or by serving the individual personally; or by serving, at the individual's dwelling house or usual place of abode, any person residing therein who is at least 18 years old, but if such place is a rooming house, hotel, club or apartment building, a copy may be delivered to such person who resides with the individual or is either a member of the individual's family or the manager or proprietor of such place; or upon the individual's spouse at a place other than the individual's dwelling house or usual place of abode if probable cause exists to believe that the spouse lives at the individual's dwelling house or usual place of abode.</p> <p>1.305 (2) Upon a minor by serving the minor's conservator or guardian, unless the notice is served on behalf of such conservator or</p>	<p>hospital for the mentally ill, is a patient in the State University of Iowa hospital or psychopathic ward, or is a patient or inmate of any institution in the control of a director of a division of the department of human services or department of corrections or of the United States:</p> <p>Serve the person in charge of that institution.</p>				
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	<p>guardian, or the minor's parent, or some person aged 18 years or more who has the minor's care and custody, or with whom the minor resides, or in whose service the minor is employed. Where the notice is served on behalf of one who is the conservator or guardian and the conservator or guardian is the only person who would be available upon whom service could be made, the court shall appoint, without prior notice to the ward, a guardian ad litem who shall be served and defend for the minor.</p> <p>1.305</p> <p>(3) Upon any person adjudged incompetent but not confined in a state hospital for the mentally ill, by serving the conservator or guardian, unless the notice is served on behalf of such conservator or guardian, or that person's spouse, or some person aged 18 years or more who has that person's care and custody, or with whom that person resides. When the notice is served on behalf of one who is the conservator or guardian and the conservator or guardian is the only person who would be available upon whom service could be made, the court shall appoint without prior notice to the ward a guardian ad litem who shall be served and defend for the incompetent person.</p> <p>1.305</p> <p>(4) Any person confined in a county care facility, or in any state hospital for the mentally ill, or any patient in the State University of Iowa hospital or its psychopathic ward, or any patient or inmate of any institution in the control of a director of a division of the department</p>					
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	<p>of human services or department of corrections or of the United States, may be served by the official in charge of such institution or that official's assistant. Proof of such service may be made by the certificate of such official, if the institution is in Iowa, or that official's affidavit if it is out of Iowa.</p> <p>1.305</p> <p>(5) If any defendant, respondent, or other party is a patient in any state or federal hospital for the mentally ill, in or out of Iowa, or has been adjudged incompetent and is confined to a county care facility, the official in charge of such institution or the official's assistant shall accept service on the party's behalf, if in the official's or assistant's opinion direct service on the party would cause injury, which shall be stated in the acceptance.</p> <p>1.305</p> <p>(12) Upon any individual, corporation, partnership or association suable under a common name, either as provided in these rules, as provided by any consent to service or in accordance with any applicable statute.</p> <p>1.305</p> <p>(14) If service cannot be made by any of the methods provided by this rule, any defendant may be served as provided by court order, consistent with due process of law.</p> <p><u>Iowa R. Civ. P. 1.306 Alternate method of service</u></p> <p>Every corporation, individual, personal representative, partnership or association that shall have the necessary minimum contact with the state of Iowa shall be subject to the</p>					
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<p>jurisdiction of the courts of this state, and the courts of this state shall hold such corporation, individual, personal representative, partnership or association amenable to suit in Iowa in every case not contrary to the provisions of the Constitution of the United States.</p> <p>Service may be made on any such corporation, individual, personal representative, partnership or association as provided in rule 1.305 within or without the state or, if such service cannot be so made, in any manner consistent with due process of law prescribed by order of the court in which the action is brought.</p> <p>Nothing herein shall limit or affect the right to serve an original notice upon any corporation, individual, personal representative, partnership or association within or without this state in any manner now or hereafter permitted by statute or rule.</p> <p><u>Iowa Code § 236.19(3)(b)(4), (5)</u> <u>Foreign protective orders — registration — enforcement</u></p> <p>3.</p> <p>b. A foreign protective order is valid if it meets all of the following:</p> <p>(4) The order was issued in accordance with the respondent's due process rights, either after the respondent was provided with reasonable notice and an opportunity to be heard before the court or tribunal that issued the order, or in the case of an ex parte order, the respondent was granted notice and opportunity to be heard within a reasonable time after the order was issued.</p> <p>5. Filing and service costs in connection with</p>					
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	foreign protective orders are waived as provided in section 236.3.					
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<p>KANSAS</p> <p>Protection from Abuse, Protection from Stalking</p> <p>Kan. Stat. Ann. § 60-3104</p> <p>Kan. Stat. Ann. § 60-3108</p> <p>Kan. Stat. Ann. § 60-31a04(e)</p> <p>Kan. Stat. Ann. § 60-31a07</p> <p>Kan. Stat. Ann. § 60-31b03</p> <p>Kan. Stat. Ann. § 60-31b04</p>	<p>Kan. Stat. Ann. § 60-3104(d) Commencement of proceedings; persons seeking relief on behalf of minor child; forms; no docket fee; confidentiality of certain matters, exceptions (d) Service of process served under this section shall be by personal service and not by certified mail return receipt requested. No docket fee shall be required for proceedings under the protection from abuse act.</p> <p>Kan. Stat. Ann. § 60-3108 Notice of protection orders A copy of any order under this act shall be issued to the plaintiff, the defendant and the police department of the city where the plaintiff resides. If the plaintiff does not reside in a city or resides in a city with no police department, a copy of the order shall be issued to the sheriff of the county where the order is issued or registered.</p> <p>Kan. Stat. Ann. § 60-31a04(e) Commencement of Proceedings; persons seeking relief on behalf of a minor; forms; no docket fee; confidentiality exceptions Service of process served under this section shall be by personal service. No docket fee shall be required for proceedings under the protection from stalking, sexual assault, or human trafficking act.</p> <p>Kan. Stat. Ann. § 60-31A,07 Notice of Protection orders. A copy of any order under the protection from stalking, sexual assault, or human trafficking act shall be issued to the victim, the defendant, and the police department of the city where the victim resides. If the victim does</p>	<p>Personal service only.</p>	<p>Statute is silent.</p>	<p>Statute is silent.</p>	<p>Statute is silent.</p>	<p>Statute is silent.</p>
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	<p>not reside in a city or resides in a city with no police department, a copy of the order shall be issued to the sheriff of the county where the order is issued.</p> <p>Kan. Stat. Ann. § 60-31B,03 Judicial enforcement of order</p> <p>(d) A foreign protection order is valid if it:</p> <p>(4) was issued after the respondent was given reasonable notice and had an opportunity to be heard before the tribunal issued the order or, in the case of an ex parte order, the respondent was given notice and has had or will have an opportunity to be heard within a reasonable time after the order was issued in a manner consistent with the rights of the respondent to due process.</p> <p>Kan. Stat. Ann. § 60-31B,04 Nonjudicial enforcement of order</p> <p>(c) If a law enforcement officer of this state determines that an otherwise valid foreign protection order cannot be enforced because the respondent has not been notified or served with the order, the officer shall inform the respondent of the order, make a reasonable effort to serve the order upon the respondent and allow the respondent a reasonable opportunity to comply with the order before enforcing the order.</p>					
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<p>KENTUCKY</p> <p>Domestic Violence Protection Order</p> <p>Ky. Rev. Stat. § 403.730</p> <p>Ky. Rev. Stat. § 403.735</p> <p>Ky. CR Rule 45.03</p> <p>Ky. CR Rule 5.02</p>	<p><u>Ky. Rev. Stat. § 403.730(1)(b)</u> <u>Immediate review of petition — Summons to evidentiary hearing — Ex parte emergency protective order</u> (b) Service of the summons and hearing order under this subsection shall be made upon the adverse party personally and may be made in the manner and by the persons authorized to serve subpoenas under Rule 45.03 of the Rules of Civil Procedure. A summons may be reissued if service has not been made on the adverse party by the fixed court date and time.</p> <p><u>Ky. Rev. Stat. § 403.735(2)</u> <u>Hearing on petition for order of protection — Criteria to assess appropriate relief and sanctions — Continuance of hearing and emergency protective order</u> (2) (a) If the adverse party is not present at the hearing ordered pursuant to KRS 403.730 and has not been served, a previously issued emergency protective order shall remain in place, and the court shall direct the issuance of a new summons for a hearing set not more than fourteen (14) days in the future. If service has not been made on the adverse party before that hearing or a subsequent hearing, the emergency protective order shall remain in place, and the court shall continue the hearing and issue a new summons with a new date and time for the hearing to occur, which shall be within fourteen (14) days of the originally scheduled date for the continued hearing. The court shall repeat the process of continuing the hearing and reissuing a new summons until the adverse party is served in advance of the scheduled hearing. If service</p>	<p>Summons to a hearing of ex parte emergency protective order must be served personally. Ky. Rev. Stat. § 403.730(1).</p>	<p>For emergency order, if the court finds domestic violence and abuse in reviewing the petition, it shall summon the parties to an evidentiary hearing within 14 days. Ky. Rev. Stat. § 403.730(1)(a)</p> <p>If the respondent is not present at the hearing and has not been served, a previously issued emergency protective order shall remain in place. The court shall repeat the process of continuing the hearing and reissuing a new summons until the respondent is served. But if the respondent has not been served within 6 months after the issuance of emergency order, the order shall be rescinded without prejudice. Ky. Rev. Stat. §</p>	<p>Statute is silent.</p>	<p>In general, the party may elect to effectuate and receive service via electronic means by filing a notice of such election with the clerk and serving a copy of such election by personal delivery or by mail. Ky. CR Rule 5.02 (2).</p> <p>The statute is otherwise silent.</p>	<p>Any person over 18 years old.</p>
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	<p>has not been made on the respondent at least seventy-two (72) hours prior to the scheduled hearing, the court may continue the hearing no more than fourteen (14) days in the future. In issuing the summons, the court shall simultaneously transmit a copy of the summons or notice of its issuance and provisions to the petitioner.</p> <p>(b) The provisions of this section permitting the continuance of an emergency protective order shall be limited to six (6) months from the issuance of the emergency protective order. If the respondent has not been served within that period, the order shall be rescinded without prejudice. Prior to the expiration of the emergency protective order, the court shall provide notice to the petitioner stating that, if the petitioner does not file a new petition, the order shall be rescinded without prejudice.</p> <p><u>Ky. Rev. Stat. § 403.735(2)</u> <u>Hearing on petition for order of protection — Criteria to assess appropriate relief and sanctions — Continuance of hearing and emergency protective order [Effective June 27, 2025]</u> (2) (a) If the adverse party is not present at the hearing ordered pursuant to KRS 403.730 and has not been served, a previously issued emergency protective order shall remain in place, and the court shall direct the issuance of a new summons for a hearing set not more than fourteen (14) days in the future. If service has not been made on the adverse party before that hearing or a subsequent hearing, the emergency protective order shall remain in place, and the court shall continue the hearing and issue a new</p>		403.735(2)			
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	<p>summons with a new date and time for the hearing to occur, which shall be within fourteen (14) days of the originally scheduled date for the continued hearing. The court shall repeat the process of continuing the hearing and reissuing a new summons until the adverse party is served in advance of the scheduled hearing. If service has not been made on the respondent at least seventy-two (72) hours prior to the scheduled hearing, the court may continue the hearing no more than fourteen (14) days in the future. In issuing the summons, the court shall simultaneously transmit a copy of the summons or notice of its issuance and provisions to the petitioner.</p> <p>(b) The provisions of this section permitting the continuance of an emergency protective order shall be limited to six (6) months from the issuance of the emergency protective order. If the respondent has not been served within that period, the order shall be rescinded without prejudice. Prior to the expiration of the emergency protective order, the court shall provide notice to the petitioner stating that, if the petitioner does not file a new petition, the order shall be rescinded without prejudice.</p> <p><u>Ky. CR Rule 45.03. Service; Notice</u></p> <p>(1) A subpoena may be served in any manner that a summons might be served. It may also be served by any person over eighteen years of age, and the affidavit endorsed thereon by such person shall be proof of service or the witnesses may acknowledge service in writing on the subpoena. Service of the subpoena shall be made by delivering or offering to</p>					
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	<p>deliver a copy thereof to the person to whom it is directed. A subpoena may be served at any place within this state. Proof of service shall be made by filing with the issuing court a statement showing the date and manner of service and the names of the persons served. The statement must be certified by the server.</p> <p>(2) Copies of all documents received in response to the subpoena shall be forthwith furnished to all other parties to the action, except on motion and for good cause shown. Any other tangible evidence received in response to the subpoena shall be forthwith made available for inspection by all other parties to the action.</p> <p>(3) Before any subpoena is served, notice of that subpoena, except those issued for trial, shall be served on each party and any person or entity whose information is being requested.</p> <p><u>Ky. CR Rule 5.02. (2) Service -- How made.</u></p> <p>(2) An attorney or party may elect to effectuate and receive service via electronic means to and from all other attorneys or parties in the action by filing a notice of such election with the clerk and serving a copy of such election by personal delivery or by mail as provided for in paragraph (1) of this rule, except that such notice may be sent electronically to any other party or attorney who has already filed and served a notice of election of electronic service hereunder. The notice must include the electronic notification address at which the attorney or party agrees to accept service. Methods of electronic service that may be elected under this rule include electronic mail or telecopy (facsimile). Documents sent through electronic mail shall be sent as an attachment in PDF or similar</p>					
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	<p>format unless otherwise agreed by the parties. Once an attorney or party files a notice of election of electronic service and serves the notice on all other attorneys or parties in the case, all other attorneys or parties shall promptly provide the requesting party or attorney with an electronic notification address at which the other attorneys or parties may be served, and shall thereafter serve the requesting attorney or party through electronic means whenever service of a document is required by these rules. Upon motion of an attorney or party and for good cause shown, the court may relieve the attorney or party of the obligation to make or receive service by electronic means. Unrepresented parties who are unable to utilize electronic service methods may continue to serve all other attorneys or parties through any method permitted by these rules. Electronic service of documents that are filed with the clerk shall be made on or before the day they are filed. Service is complete upon electronic transmission, but electronic transmission is not effective if the serving party learns or has reason to know that it did not reach the person to be served. When documents are too large or numerous to be processed electronically by the sender or recipient, the serving attorney or party shall serve them by mail or personal delivery. The signature of an attorney or party on a document served by electronic mail may be represented by "/s/" followed by the typed name of the person signing the document or by a scanned version of an original signature. Signature in such manner is equivalent to a hand-signed original signature for all purposes under these Rules.</p>					
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<p>LOUISIANA</p> <p>Protective Order</p> <p>La. Rev. Stat. Ann. § 46:2135</p> <p>La. Rev. Stat. Ann. § 46:2136</p> <p>et seq.</p> <p>La. Code Civ. Proc. Ann. § art. 1291 et seq.</p> <p>La. Code Civ. Proc. Ann. § art.1313.</p>	<p><u>La. Rev. Stat. Ann. § 46:2135(B), (D) Temporary restraining order.</u></p> <p>B. If a temporary restraining order is granted without notice, the matter shall be set within twenty-one days for a rule to show cause why the protective order should not be issued, at which time the petitioner must prove the allegations of abuse by a preponderance of the evidence. The defendant shall be given notice of the temporary restraining order and the hearing on the rule to show cause by service of process as required by law within twenty-four hours of the issuance of the order.</p> <p>D. If no temporary restraining order has been granted, the court shall issue a rule to show cause why the protective order should not be issued, and set the rule for hearing on the earliest day that the business of the court will permit, but in any case within ten days from the date of service of the petition, at which time the petitioner must prove the allegations of abuse by a preponderance of the evidence. The defendant shall be given notice by service of process as required by law.</p> <p><u>La. Rev. Stat. Ann. § 46:2136(E) Protective orders; content; modification; service</u></p> <p>E. A protective order made under this Part shall be served on the person to whom the order applies in open court at the close of the hearing, or in the same manner as a writ of injunction. The clerk of the issuing court shall send a copy of the Uniform Abuse Prevention Order, R.S. 46:2136.2(C), or any modification thereof to the chief law enforcement official of the parish where the person or persons protected by the order reside. A copy of the Uniform Abuse Prevention Order shall be retained on file in the office of the chief law</p>	<p>Orders may be served personally or by leaving a copy at the respondent's dwelling with a person of suitable age and discretion who lives there. La. Code Civ. Proc. Ann. § art. 1231</p> <p>A final protective order can also be served on the person to whom the order applies in open court at the close of the hearing. La. Rev. Stat. Ann. § 46:2136(E)</p> <p>https://plus.lexis.com/search/?pdfid=1530671&crd=7682c698-9598-4c64-bc3c-85a6a9ec7391&pdsearchterms=La.+Code+Civ.+Proc.+Ann.+Art.+1291&pdtypeofsearch=searchboxclick&pdsearchtype=SearchBox&pdstartin=&pdpsf=&pdqtype=</p>	<p>Statute is silent on time limits for serving final orders.</p> <p>Temporary orders must be served within 24 hours of the issuance of the order.</p>	<p>Statute is silent.</p>	<p>In general, e-service is allowed in every pleading after the original petition and in pleadings that expressly allowed for e-services. La. Code Civ. Proc. Ann. § art.1313.</p>	<p>Service may be made by the sheriff of the parish where service is to be made or the parish where the action is pending. La. Code Civ. Proc. Ann. § art. 1291.</p> <p>If the sheriff does not make service within 10 days or a return is filed certifying that the sheriff has been unable to make service, then the petitioner may move to have the court appoint a private process server. That server can be any adult who resides in the state, is not a party, and is deemed qualified by the court. Anyone licensed in Louisiana as a private investigator is presumed qualified. La. Code Civ. Proc. Ann. § art.1293(A).</p> <p>The court can also, by its discretion or upon petition, appoint any natural person, or appoint a juridical person which may then select an employee or agent, to make service of process without first requiring the sheriff to attempt service. That</p>
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	<p>enforcement officer as provided herein until otherwise directed by the court.</p> <p>La. Code Civ. Proc. Ann. § art. 1231 Types of service; time of making Service of citation or other process may be either personal or domiciliary, and except as otherwise provided by law, each has the same effect. Service, whether personal or domiciliary, may be made at any time of day or night, including Sundays and holidays.</p> <p>La. Code Civ. Proc. Ann. § art.1232 Personal service Personal service is made when a proper officer tenders the citation or other process to the person to be served.</p> <p>La. Code Civ. Proc. Ann. § art.1233. Same; where made Personal service may be made anywhere the officer making the service may lawfully go to reach the person to be served.</p> <p><u>La. Code Civ. Proc. Ann. § art.1234. Domiciliary service</u> Domiciliary service is made when a proper officer leaves the citation or other process at the dwelling house or usual place of abode of the person to be served with a person of suitable age and discretion residing in the domiciliary establishment.</p> <p>La. Code Civ. Proc. Ann. § art.1235. Service on representative</p>	and&pdqueryte mplateid=&eco mp=c7ttk&earg= pdsf&prid=4041 f30c-1068-4063- 9495- 30af56c87f2b				<p>server must be over majority age, resides in the state, is not a party, and be deemed qualified by the court. La. Code Civ. Proc. Ann. § art. 1293 (B)(C).</p>
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<p>A. Service is made on a person who is represented by another by appointment of court, operation of law, or mandate, through personal or domiciliary service on such representative.</p> <p>B. Service on an attorney, as a representative of a client, is proper when the attorney's secretary is served in the attorney's office.</p> <p>C. For the purposes of this Article "secretary" shall be defined as the person assigned to a particular attorney and who is charged with the performance of that part of the attorney's business concerned with the keeping of records, the sending and receiving of correspondence, and the preparation and monitoring of the attorney's appointments calendar.</p> <p>La. Code Civ. Proc. Ann. § art.1291. Service by sheriff Except as otherwise provided by law, service shall be made by the sheriff of the parish where service is to be made or of the parish where the action is pending.</p> <p>La. Code Civ. Proc. Ann. § art.1292. Sheriff's return A. The sheriff shall endorse on a copy of the citation or other process the date, place, and method of service and sufficient other data to show service in compliance with law. He shall sign and return the copy promptly after the service to the clerk of court who issued it. The return, when received by the clerk, shall form part of the record, and shall be considered prima facie correct. The court, at any time and upon such terms as are just, may allow any process or proof of service thereof to be amended, unless it clearly appears that</p>						
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	<p>material prejudice would result to the substantial rights of the party against whom the process issued.</p> <p>B. In addition to the provisions of Paragraph A of this Article, when the citation or other process is a temporary restraining order, protective order, preliminary injunction, permanent injunction, or court-approved consent agreement as referenced in R.S. 46:2136.2(B), the person making the service, or his designee, shall transmit proof of service to the judicial administrator's office, Louisiana Supreme Court, for entry into the Louisiana Protective Order Registry, as provided in R.S. 46:2136.2(A), by facsimile transmission or direct electronic input as expeditiously as possible, but no later than the end of the next business day after making service, exclusive of weekends and holidays. This proof shall include, at a minimum, the case caption, docket number, type of order, serving agency and officer, and the date and time service was made.</p> <p>La. Code Civ. Proc. Ann. § art.1293. Service by private person</p> <p>A. When the sheriff has not made service within ten days after receipt of the process or when a return has been made certifying that the sheriff has been unable to make service, whichever is earlier, on motion of a party the court shall appoint a person over the age of majority, not a party and residing within the state whom the court deems qualified to perform the duties required, to make service of process in the same manner as is required of sheriffs. Service of process made in this manner shall be proved like any other fact in the case. Any person who is a Louisiana</p>					
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	<p>licensed private investigator shall be presumed qualified to perform the duties required to make service.</p> <p>B. In serving notice of a summary proceeding as provided by Article 2592 or a subpoena which is related to the proceeding, on motion of a party the court shall have the discretion to appoint any person over the age of majority, not a party and residing within the state, to make service of process, notices, and subpoenas in the same manner as is required of sheriffs, without first requiring the sheriff to attempt service. The party making such a motion shall include the reasons, verified by affidavit, necessary to forego service by the sheriff, which shall include but not be limited to the urgent emergency nature of the hearing, knowledge of the present whereabouts of the person to be served, as well as any other good cause shown.</p> <p>C. In addition to those natural persons who the court may appoint to make service of process pursuant to Paragraph A or B of this Article, the court may also appoint a juridical person which may then select an employee or agent of that juridical person to make service of process, provided the employee or agent perfecting service of process is a natural person who qualifies as an agent for service of process pursuant to Paragraph A or B of this Article.</p> <p>D. In addition to the provisions of Paragraph A of this Article, when the citation or other process is a temporary restraining order, protective order, preliminary injunction, permanent injunction, or court-approved consent agreement as referenced in R.S. 46:2136.2(B), the person making the service, or his designee, shall transmit proof of service to the judicial administrator's office, Louisiana</p>					
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	<p>Supreme Court, for entry into the Louisiana Protective Order Registry, as provided in R.S. 46:2136.2(A), by facsimile transmission or direct electronic input as expeditiously as possible, but no later than the end of the next business day after making service, exclusive of weekends and holidays. This proof shall include, at a minimum, the case caption, docket number, type of order, serving agency and officer, and the date and time service was made.</p> <p>La. Code Civ. Proc. Ann. § art.1313. Service by mail, delivery, or electronic means</p> <p>– A. Except as otherwise provided by law, every pleading subsequent to the original petition, and every pleading which under an express provision of law may be served as provided in this Article, may be served either by the sheriff or by:</p> <p>(1) Mailing a copy thereof to the counsel of record, or if there is no counsel of record, to the adverse party at his last known address, this service being complete upon mailing.</p> <p>(2) Delivering a copy thereof to the counsel of record, or if there is no counsel of record, to the adverse party.</p> <p>(3) Delivering a copy thereof to the clerk of court, if there is no counsel of record and the address of the adverse party is not known.</p> <p>(4) Transmitting a copy by electronic means to counsel of record, or if there is no counsel of record, to the adverse party, at the number or addresses expressly designated in a pleading or other writing for receipt of electronic service. Service by electronic means is complete upon transmission but is not effective and shall not be certified if the</p>					
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	<p>serving party learns the transmission did not reach the party to be served.</p> <p>B. When service is made by mail, delivery, or electronic means, the party or counsel making the service shall file in the record a certificate of the manner in which service was made.</p> <p>C. Notwithstanding Paragraph A of this Article, if a pleading or order sets a court date, then service shall be made by registered or certified mail or as provided in Article 1314, by actual delivery by a commercial courier, or by emailing the document to the email address designated by counsel or the party. Service by electronic means is complete upon transmission, provided that the sender receives an electronic confirmation of delivery.</p> <p>D. For purposes of this Article, a “commercial courier” is any foreign or domestic business entity having as its primary purpose the delivery of letters and parcels of any type, and that:</p> <p style="padding-left: 20px;">(1) Acquires a signed receipt from the addressee, or the addressee’s agent, of the letter or parcel upon completion of delivery.</p> <p style="padding-left: 20px;">(2) Has no direct or indirect interest in the outcome of the matter to which the letter or parcel concerns.</p> <p>La. Code Civ. Proc. Ann. § art. 1231 Types of service; time of making Service of citation or other process may be either personal or domiciliary, and except as otherwise provided by law, each has the same effect. Service, whether personal or domiciliary, may be made at any time of day or night, including Sundays and holidays.</p> <p>La. Rev. Stat. Ann. § 46:2136(E)</p>					
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<p>E. A protective order made under this Part shall be served on the person to whom the order applies in open court at the close of the hearing, or in the same manner as a writ of injunction. The clerk of the issuing court shall send a copy of the Uniform Abuse Prevention Order, <u>R.S. 46:2136.2(C)</u>, or any modification thereof to the chief law enforcement official of the parish where the person or persons protected by the order reside. A copy of the Uniform Abuse Prevention Order shall be retained on file in the office of the chief law enforcement officer as provided herein until otherwise directed by the court.</p> <p>https://plus.lexis.com/search/?pdfid=1530671&crid=7682c698-9598-4c64-bc3c-85a6a9ec7391&pdsearchterms=La.+Code+Civ.+Proc.+Ann.+Art.+1291&pdtypeofsearch=searchboxclick&pdsearchtype=SearchBox&pdstartin=&pdpsf=&pdqtype=and&pdquerytemplateid=&ecomp=c7ttk&earg=pdsf&prid=4041f30c-1068-4063-9495-30af56c87f2b</p>					
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<p style="text-align: center;">MAINE</p> <p>Protection from Abuse (DV, Stalking, Sexual Assault)</p> <p>Me. Rev. Stat. tit. 19-A, § 4107</p> <p>Me. Rev. Stat. tit. 19-A, § 4114 Me. R. Civ. P. 4</p>	<p>Me. Rev. Stat. tit. 19-A, § 4107. Service of order</p> <p>If the court issues an order under this chapter, the court shall order an appropriate law enforcement agency or, if the defendant is present in the courthouse, a court security officer qualified pursuant to Title 4, section 17, subsection 15 or, if the defendant is in the custody of the Department of Corrections, the Department of Corrections to serve the defendant personally with the order.</p> <p>Temporary orders must be served with the summons and complaint. The court shall cause the order to be delivered to the law enforcement agency, the court security officer or the correctional facility in which the defendant is incarcerated as soon as practicable following the issuance of the order. The law enforcement agency, court security officer or chief administrative officer of a correctional facility or the chief administrative officer's designee shall make a good faith effort to serve process expeditiously.</p> <p>1. Electronically transmitted printed copies of order. Notwithstanding any provision of law to the contrary, service of an order may be made pursuant to this section through the use of electronically transmitted printed copies of orders that have been transmitted directly from the court to the law enforcement agency or correctional facility making service. Return of proof of service may be made by electronic transmission of the proof of service directly to the court from the law enforcement officer making service or the chief administrative officer, or the chief administrative officer's designee, of the correctional facility making service.</p> <p>2. Officer who served order as witness. In</p>	<p>Temporary orders must be served with the summons and complaint.</p>	<p>The court will send the order to the appropriate agent as soon as practicable, and the agent will make a good faith effort to serve process expeditiously.</p> <p>No specific time limit is set by statute, but the court must hold a hearing within 21 days after a complaint is filed.</p>	<p>Statute is silent.</p>	<p>Me. Rev. Stat. tit. 19-A, § 4107 states that a defendant should be served personally with the order. If traditional methods fail either by mail, or personal delivery then service through alternate means, including electronically, is permissible upon motion. Me. R. Civ. P. 4.</p>	<p>In general, service may be made by an appropriate law enforcement agency.</p> <p>If the defendant is present in the courthouse, service may be made by a court security officer.</p> <p>If the defendant is in the custody of the Department of Corrections, service may be made by the Department.</p>
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	<p>any subsequent criminal prosecution for violation of this chapter when the service of an order was made through the use of an electronically transmitted printed copy of the order, with 10 days' advance written notice to the prosecution, the defendant may request that the prosecution call as a witness the law enforcement officer who served the order or the chief administrative officer, or the chief administrative officer's designee, of the correctional facility that served the order.</p> <p>Me. Rev. Stat. tit. 19-A, § 4114. Law enforcement agency responsibilities</p> <p>11. Service of protection from abuse order. Every law enforcement agency shall adopt a written policy on the service of protection from abuse orders that directs that every order issued under this chapter is served on the subject of the order as quickly as possible, including that service of every temporary, emergency or interim order issued under this chapter must be attempted within 48 hours after receiving notice of that order from the court.. Service of a protection from abuse order that is not in compliance with a policy adopted under this subsection does not affect the validity of the service or the order.</p> <p>Me. R. Civ. P. 4. PROCESS</p> <p>(a) Summons: Form. The summons shall bear the signature or facsimile signature of the clerk; be under the seal of the court; contain the name of the court and the names of the parties; be directed to the defendant; state the name and address, including email address, of the plaintiff's attorney and the time within which these rules require the defendant to appear and defend; and shall notify the</p>					
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<p>defendant that in case of failure to do so judgment by default may be rendered against the defendant for the relief demanded in the complaint.</p> <p>(b) Same: Issuance. The summons may be procured in blank from the clerk and shall be filled out by the plaintiff's attorney as provided in subdivision (a) of this rule. The plaintiff's attorney shall deliver to the person who is to make service the original summons upon which to make return of service and a copy of the summons, complaint, and notice regarding Electronic Service for service upon the defendant. The notice regarding Electronic Service shall instruct parties who are represented by counsel that they are subject to the requirements of Electronic Service under Rule 5; shall notify unrepresented parties of their right to opt in to Electronic Service, including the technological requirements to opt in; and shall provide them with instructions for opting in.</p> <p>(c) Service. Service of the summons, complaint, and notice regarding Electronic Service may be made as follows:</p> <p>(1) By mailing a copy of the summons, complaint, and notice regarding Electronic Service (by first-class mail, postage prepaid) to the person to be served, together with two copies of a notice and acknowledgment form and a return envelope, postage prepaid, addressed to the sender. If no acknowledgment of service under this paragraph is received by the sender within 20 days after the date of mailing, service of the summons, complaint, and notice regarding Electronic Service shall be made under paragraph (2) or (3) of this</p>					
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	<p>subdivision.</p> <p>(2) By a sheriff or a deputy within the sheriff's county, or other person authorized by law, or by some person specially appointed by the court for that purpose. Special appointments to serve process shall be made freely when substantial savings in travel fees will result.</p> <p>(3) By any other method permitted or required by this rule or by statute.</p> <p>(d) Summons: Personal Service. The summons, complaint, and notice regarding Electronic Service shall be served together. Personal service within the state shall be made as follows:</p> <p>(1) Upon an individual other than a minor or an incompetent person, by delivering a copy of the summons, complaint, and notice regarding Electronic Service to the individual personally or by leaving copies thereof at the individual's dwelling house or usual place of abode with some person of suitable age and discretion then residing therein or by delivering a copy of the summons, complaint, and notice regarding Electronic Service to an agent authorized by appointment or by law to receive service of process, provided that if the agent is one designated by statute to receive service, such further notice as the statute requires shall be given. The court, on motion, upon a showing that service as prescribed above cannot be made with due diligence, may order service to be made pursuant to</p>					
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	<p>subdivision (g) of this rule.</p> <p>(2) Upon a minor, by delivering a copy of the summons, complaint, and notice regarding Electronic Service personally (a) to the minor and (b) also to the minor's guardian if the minor has one within the state, known to the plaintiff, and if not, then to the minor's father or mother or other person having the minor's care or control, or with whom the minor resides, or if service cannot be made upon any of them, then as provided by order of the court.</p> <p style="text-align: center;">***</p> <p>(e) Personal Service Outside State. A person who is subject to the jurisdiction of the courts of the state may be served with summons, complaint, and notice regarding Electronic Service outside the state, in the same manner as if such service were made within the state, by any person authorized to serve civil process by the laws of the place of service or by a person specially appointed to serve it. An affidavit of the person making service shall be filed with the court stating the time, manner, and place of service. Such service has the same force and effect as personal service within the state.</p> <p>(f) Service by Mail in Certain Actions.</p> <p>(1) Outside State. Where service cannot, with due diligence, be made personally within the state, service of the summons, complaint, and notice regarding Electronic Service may be made upon a person who is subject to the jurisdiction of the courts of the state by delivery to</p>					
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	<p>that person outside the state by registered or certified mail, with restricted delivery and return receipt requested, in the following cases: where the pleading demands a judgment that the person to be served be excluded from a vested or contingent interest in or lien upon specific real or personal property within the state, or that such an interest or lien in favor of either party be enforced, regulated, defined or limited, or otherwise affecting the title to any property.</p> <p>(2) Family Division Actions. Service of the summons, complaint, and notice regarding Electronic Service or a post-judgment motion may be made in an action pursuant to Chapter XIII of these Rules upon a person who is subject to the jurisdiction of the courts of the state by delivery to that person, whether in or outside the state, by registered or certified mail, with restricted delivery and return receipt requested.</p> <p>(3) Service Completion. Service by registered or certified mail shall be complete when the registered or certified mail is delivered and the return receipt signed or when acceptance is refused, provided that the plaintiff shall file with the court either the return receipt or, if acceptance was refused, an affidavit that upon notice of such refusal a copy of the summons, complaint, and notice regarding Electronic Service was sent to the defendant by ordinary mail.</p>					
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	<p>(g) Service by Alternate Means; Motion Required.</p> <p>(1) When Service May Be Made. The court, on motion upon a showing that service cannot with due diligence be made by another prescribed method, shall order service (i) to be made by leaving a copy of the order authorizing service by alternate means, the summons, complaint, and notice regarding Electronic Service at the defendant's dwelling house or usual place of abode; or (ii) by publication unless a statute provides another method of notice; or (iii) to be made electronically or by any other means not prohibited by law.</p> <p>Any such motion shall be supported by (i) a draft, proposed order to provide the requested service by alternate means, and (ii) an affidavit showing that:</p> <p>(A) The moving party has demonstrated due diligence in attempting to obtain personal service of process in a manner otherwise prescribed by Rule 4 or by applicable statute;</p> <p>(B) The identity and/or physical location of the person to be served cannot reasonably be ascertained, or is ascertainable but it appears the person is evading process; and</p> <p>(C) The requested method and manner of service is reasonably calculated to provide actual notice of the pendency of the action to the party to be served and is the most practical manner of effecting notice of the suit.</p>					
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	<p>(2) Contents of Order. An order for service by alternate means shall include (i) a brief statement of the object of the action; (ii) if the action may affect any property or credits of the defendant described in subdivision (f) of this rule, a description of any such property or credits; (iii) the substance of the summons prescribed by subdivision (a) of this rule; and (iv) a finding by the court that the party seeking service by alternate means has met the requirements in subdivision (g)(l)(A)-(C) of this rule. If the order is one allowing service by publication pursuant to subsection (g)(1)(ii), it shall also direct its publication once a week for 3 successive weeks in a designated newspaper of general circulation in the county or municipality and state most reasonably calculated to provide actual notice of the pendency of the action to the party to be served; and the order shall also direct the mailing to the defendant, if the defendant's address is known, of a copy of the order as published. If the order is one allowing service by electronic or other alternate means pursuant to subsection (g)(1)(iii), it may include directives about adequate safeguards to be employed to assure that service can be authenticated and will be received intact, with all relevant documents and information.</p> <p>(3) Time of Publication or Delivery; When</p>					
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	<p>Service Complete. When service is made by publication pursuant to subsection (g)(1)(ii), the first publication of the summons shall be made within 20 days after the order is granted. Service by alternate means hereunder is complete on the twenty-first day after the first service or as provided in the court's order. The plaintiff shall file with the court an affidavit demonstrating that publication or compliance with the court's order has occurred.</p> <p>(h) Return of Service. The person serving the process shall make proof of service thereof on the original process or a paper attached thereto for that purpose, and shall forthwith return it to the plaintiff's attorney. The plaintiff's attorney shall, within the time during which the person served must respond to the process, file the proof of service with the court. If service is made under paragraph (c)(1) of this rule, return shall be made by the plaintiff's attorney filing with the court the acknowledgment received pursuant to that paragraph. The attorney's filing of such proof of service with the court shall constitute a representation by the attorney, subject to the obligations of Rule 11, that the copy of the complaint mailed to the person served or delivered to the officer for service was a true copy. If service is made by a person other than a sheriff or the sheriff's deputy or another person authorized by law, that person shall make proof thereof by affidavit. The officer or other person serving the process shall endorse the date of service upon the copy left with the defendant or other person. Failure to endorse the date of service shall not affect the validity</p>					
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	<p>of service.</p> <p>(i) Amendment. At any time in its discretion and upon such terms as it deems just, the court may allow any process or proof of service thereof to be amended, unless it clearly appears that material prejudice would result to the substantial rights of the party against whom the process issued.</p> <p>(j) Alternative Provisions for Service in a Foreign Country.</p> <p>(1) Manner. When service is to be effected upon a party in a foreign country, it is also sufficient if service of the summons, complaint, and notice regarding Electronic Service is made: (A) in the manner prescribed by the law of the foreign country for service in that country in an action in any of its courts of general jurisdiction; or</p> <p>(B) as directed by the foreign authority in response to a letter rogatory, when service in either case is reasonably calculated to give actual notice; or (C) upon an individual, by delivery to the individual personally, and upon a corporation or partnership or association, by delivery to an officer, a managing or general agent; or (D) by any form of mail requiring a signed receipt, to be addressed and dispatched by the clerk of the court to the party to be served; or</p> <p>(E) as directed by order of the court. Service under (C) or (E) above may be made by any person who is not a party and is not less than 18 years of age or who is designated by order of the court or by the</p>					
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	<p>foreign court. On request, the clerk shall deliver the summons to the plaintiff for transmission to the person or the foreign court or officer who will make the service.</p> <p>(2) Return. Proof of service may be made as prescribed by subdivision (h) of this rule, or by the law of the foreign country, or by order of the court. When service is made pursuant to subparagraph (1)(D) of this subdivision, proof of service shall include a receipt signed by the addressee or other evidence of delivery to the addressee satisfactory to the court.</p>					
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<p>MARYLAND</p> <p>Md. Code Ann., Fam. Law § 4-505</p> <p>Md. Code Ann., Fam. Law § 4-506</p> <p>Md. Rule 3-121</p> <p>https://advance.lexis.com/document/documentlink/?pdmfid=1000516&crid=34ca09b0-124d-44bd-be34-b4824c3a7263&action=linkdoc&pdcComponentId=&pddocfullpath=/shared/document/statutes-legislation/urn:contentItem:5YNF-V2M1-</p>	<p><u>Md. Code Ann., Fam. Law § 4-505(b) Temporary protective orders</u></p> <p>(b)</p> <p>(1) Except as provided in paragraph (2) of this subsection, a law enforcement officer shall:</p> <p>(i) immediately serve the temporary protective order on the alleged abuser under this section; and</p> <p>(ii) within two hours after service of the order on the respondent, electronically notify the Department of Public Safety and Correctional Services of the service using an electronic system approved and provided by the Department of Public Safety and Correctional Services.</p> <p>(2) A respondent who has been served with an interim protective order under § 4-504.1 of this subtitle shall be served with the temporary protective order in open court or, if the respondent is not present at the temporary protective order hearing, by first-class mail at the respondent's last known address.</p> <p>(3) There shall be no cost to the petitioner for service of the temporary protective order.</p> <p><u>Md. Code Ann., Fam. Law § 4-505(b) Temporary protective orders [Effective October 1, 2025]</u></p> <p>(b)</p> <p>(1) Except as provided in paragraph (2) of this subsection, a law enforcement officer shall:</p> <p>(i) immediately serve the temporary protective order on the alleged abuser under this section; and</p> <p>(ii) within two hours after service of the</p>	<p>Temporary orders:</p> <p>law enforcement shall immediately serve the temporary order on the alleged abuser. Md. Code Ann., Fam. Law § 4-505(b)(1)(i).</p> <p>A respondent who has been served with an interim protective order under § 4-504.1 of this subtitle shall be served with the temporary protective order in open court or, if the respondent is not present at the temporary protective order hearing, by first-class mail at the respondent's last known address. Md. Code Ann., Fam. Law § 4-505(b)(2).</p> <p>Final orders: if the respondent is present for the hearing on the final order, they can be served in open court. If they are not present, they can be served by first-class mail. Md. Code Ann., Fam. Law § 4-506(i).</p>	<p>Temporary orders must be served immediately. No specific time limit is set by statute.</p> <p>Statute is silent on final orders.</p>	<p>Statute is silent.</p>	<p>Statute is silent on e-service.</p>	<p>Service of process may be made by a sheriff or by a competent private person, 18 years of age or older, including an attorney of record, but not by a party to the action. Md. Rule 3-123(a).</p> <p>The court may also appoint an elisor to serve the party if the sheriff is disqualified from service by having too much interests in the action. Md. Rule 3-123(c).</p>
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FBN1-20H6-00000-00&pd	<p>order on the respondent, electronically notify the Department of Public Safety and Correctional Services of the service using an electronic system approved and provided by the Department of Public Safety and Correctional Services.</p> <p>(2) A respondent who has been served with an interim protective order under § 4-504.1 of this subtitle shall be served with the temporary protective order in open court or, if the respondent is not present at the temporary protective order hearing, by first-class mail at the respondent's last known address.</p> <p>(3) There shall be no cost to the petitioner for service of the temporary protective order.</p> <p><u>Md. Code Ann., Fam. Law § 4-506(b)(2)(i), (i) Protective orders</u></p> <p>(b)</p> <p>(2) The temporary protective order shall include notice to the respondent:</p> <p>(i) in at least 10-point bold type, that if the respondent fails to appear at the final protective order hearing, the respondent may be served by first-class mail at the respondent's last known address with the final protective order and all other notices concerning the final protective order;</p> <p>(i)</p> <p>(1) A copy of the final protective order shall be served on the petitioner, the respondent, any affected person eligible for relief, the appropriate law enforcement agency, and any other person the judge determines is appropriate, in open court or, if the person is not present at the final protective order hearing, by first-class mail to the person's</p>					
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	<p>last known address.</p> <p>(2) A copy of the final protective order served on the respondent in accordance with paragraph (1) of this subsection constitutes actual notice to the respondent of the contents of the final protective order. Service is complete upon mailing.</p> <p>Md. Rule 3-121. Process — Service — In personam</p> <p>(a) Generally. — Service of process may be made within this State or, when authorized by the law of this State, outside of this State (1) by delivering to the person to be served a copy of the summons, complaint, and all other papers filed with it; (2) if the person to be served is an individual, by leaving a copy of the summons, complaint, and all other papers filed with it at the individual's dwelling house or usual place of abode with a resident of suitable age and discretion; or (3) by mailing to the person to be served a copy of the summons, complaint, and all other papers filed with it by certified mail requesting: "Restricted Delivery — show to whom, date, address of delivery." Service by certified mail under this Rule is complete upon delivery. Service outside of the State may also be made in the manner prescribed by the court or prescribed by the foreign jurisdiction if reasonably calculated to give actual notice.</p> <p>(b) Evasion of service. — When proof is made by affidavit that a defendant has acted to evade service, the court may order that service be made by mailing a copy of the summons, complaint, and all other papers filed with it to the defendant at the defendant's last known residence and delivering a copy of each to a person of suitable age and discretion at the place of business of the defendant.</p>					
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	<p>(c) By order of court. — When proof is made by affidavit that good faith efforts to serve the defendant pursuant to section (a) of this Rule have not succeeded and that service pursuant to section (b) of this Rule is inapplicable or impracticable, the court may order any other means of service that it deems appropriate in the circumstances and reasonably calculated to give actual notice.</p> <p>(d) Methods not exclusive. — The methods of service provided in this Rule are in addition to and not exclusive of any other means of service that may be provided by statute or rule for obtaining jurisdiction over a defendant.</p>					
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<p>MASSACHUSETTS</p> <p>Protection from Abuse Order</p> <p>Mass. Ann. Laws ch. 209A, § 7</p> <p>ALM R. Civ. P. Rule 5</p> <p>ALM Sup. Jud. Ct. Rule 1:25, Massachusetts Rules of Electronic Filing</p>	<p><u>Mass. Ann. Laws ch. 209A, § 7</u> <u>Search of Domestic Violence Records; Outstanding Warrants; Service of Order, Complaint and Summons; Enforcement; Violations.</u></p> <p>Whenever the court orders under sections eighteen, thirty-four B, and thirty-four C of chapter two hundred and eight, section thirty-two of chapter two hundred and nine, sections three, four and five of this chapter, or sections fifteen and twenty of chapter two hundred and nine C, the defendant to vacate, refrain from abusing the plaintiff or to have no contact with the plaintiff or the plaintiff's minor child, the register or clerk-magistrate shall transmit two certified copies of each such order and one copy of the complaint and summons forthwith to the appropriate law enforcement agency which, unless otherwise ordered by the court, shall serve one copy of each order upon the defendant, together with a copy of the complaint, order and summons and notice of any suspension or surrender ordered pursuant to section three B of this chapter. Law enforcement agencies shall establish adequate procedures to ensure that, when effecting service upon a defendant pursuant to this paragraph, a law enforcement officer shall, to the extent practicable: (i) fully inform the defendant of the contents of the order and the available penalties for any violation of an order or terms thereof and (ii) provide the defendant with informational resources, including, but not limited to, a list of certified batterer intervention programs, substance abuse counseling, alcohol abuse counseling and financial counseling programs located within or near the court's jurisdiction. The law enforcement agency shall promptly make its return of service to the court.</p>	<p>General rule: Service upon the attorney or upon a party shall be made by delivering a copy to him or by mailing it to him at his last known address or, if no address is known, by leaving it with the clerk of the court. Service may also be made through the Electronic Filing Service Provider pursuant to Rule 7(b) of the Massachusetts Rules of Electronic Filing. ALM R. Civ. P. Rule 5(b).</p> <p>The statute is otherwise silent.</p>	<p>Statute is silent.</p>	<p>Statute is silent.</p>	<p>Service can be made through the Electronic Filing Service Provider according to Rule 7(b) of the Massachusetts Rules of Electronic Filing, which requires that the user submitting the document for service through the e-filing system is responsible for serving a copy of non-registered participants and if electronic service was undeliverable, then the filing user must use conventional methods. The parties may agree in writing to make and receive service by e-mail. ALM Sup. Jud. Ct. Rule 1:25, Massachusetts Rules of Electronic Filing</p>	<p>Appropriate law enforcement agency. Mass. Ann. Laws ch. 209A, § 7.</p>
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<p><u>ALM R. Civ. P. Rule 5. Service and Filing of Pleadings and Other Papers.</u></p> <p>(b) Same: How Made. Whenever under these rules service is required or permitted to be made upon a party represented by an attorney the service shall be made upon the attorney unless service upon the party is ordered by the court. Service upon the attorney or upon a party shall be made by delivering a copy to the person or by mailing it to the person at the person's last known address or, if no address is known, by leaving it with the clerk of the court. Service may also be made by e-mail as provided in Rule 5(b)(1) or through the Electronic Filing Service Provider pursuant to Rule 7(b) of the Massachusetts Rules of Electronic Filing. Delivery of a copy within this rule means: handing it to the attorney or to the party; or leaving it at the person's office with a clerk or other person in charge thereof; or, if there is no one in charge, leaving it in a conspicuous place therein; or if the office is closed or the person to be served has no office, leaving it at the person's dwelling house or usual place of abode with someone of suitable age and discretion then residing therein. Service by mail is complete upon mailing.</p> <p>ALM Sup. Jud. Ct. Rule 1:25, Massachusetts Rules of Electronic Filing, Rule 7. Service of Electronically Filed Documents</p> <p>(a) All Documents E-filed Must Be Served. Except as otherwise provided in the Massachusetts Court Rules and Orders, or as otherwise ordered by the court, all electronically filed documents must be served on all other parties. Any document filed through the e-filing system</p>						
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	<p>must include a certificate of service. Subject to a court's specific requirement, the certificate of service may appear as a part of the document being filed or may be filed as a separate document.</p> <p>(b) Electronic Service Accomplished Through the Electronic Filing Service Provider; Conventional Service Required for Non-Registered Participants. All Users in a case may be served electronically through the e-filing system, even when the parties to a case comprise both Users and Non-Registered Participants. When the parties to a case comprise both Users and Non-Registered Participants, the User submitting the document for filing through the e-filing system is responsible for serving a copy of the document to all parties who are Non-Registered Participants in accordance with other Massachusetts Court Rules and Orders.</p> <p>(c) Conventional Service Required If Electronic Service Notification Is Undeliverable. If a filing User receives notice that electronic service on any party was undeliverable, the filing User shall then serve the document on that party by conventional methods.</p> <p>(d) Electronic Notification Shall Signal Completion of Electronic Service. Electronic service shall be deemed complete at the time of transmission to the e-mail account of the Service Contact.</p> <p>(e) Calculation of Time To Respond. For the purpose of computing time to respond to documents electronically filed, whenever a User has the right or is required to do some act within a prescribed period after the completion of electronic service of a notice or other documents upon him/her and the notice</p>					
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	or document is either served upon him/her by electronic means, or the document was filed electronically and served by conventional methods, three days shall be added to the prescribed period.					
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<p>MICHIGAN</p> <p>Personal Protection Order</p> <p>Mich. Comp. Laws Serv. § 600.2950</p> <p>Mich. Comp. Laws Serv. § 600.2950i</p> <p>MCR 1.109</p> <p>MCR 2.103</p> <p>MCR 2.107</p>	<p><u>Mich. Comp. Laws Serv. § 600.2950(18), (22) Personal protection order; restraining or enjoining spouse, former spouse, individual with child in common, individual in dating relationship, or person residing or having resided in same household from certain conduct; respondent required to carry concealed weapon; omitting address of residence from documents; issuance, contents, effectiveness, duration, and service of personal protection order; entering order into law enforcement information network; notice; failure to comply with order; false statement to court; enforcement; respondent less than 18 years of age; ownership interest in animal; definitions</u></p> <p>(18) A personal protection order issued under this section must be served personally or by registered or certified mail, return receipt requested, delivery restricted to the addressee at the last known address or addresses of the individual restrained or enjoined or by any other manner allowed by the Michigan court rules. If the individual restrained or enjoined has not been served, a law enforcement officer or clerk of the court who knows that a personal protection order exists may, at any time, serve the individual restrained or enjoined with a true copy of the order or advise the individual restrained or enjoined of the existence of the personal protection order, the specific conduct enjoined, the penalties for violating the order, and where the individual restrained or enjoined may obtain a copy of the order. If the respondent is less than 18 years of age, the parent, guardian, or custodian of the individual must also be served personally or by registered or certified mail, return receipt requested, delivery</p>	<p>Orders can be served personally, by registered or certified mail, or by any other manner allowed by the Michigan court rules. Mich. Comp. Laws Serv. § 600.2950(18).</p> <p>If the respondent is under 18, their parent guardian, or custodian must also be served personally, or by registered or certified mail. Mich. Comp. Laws Serv. § 600.2950(18).</p>	<p>Statute is silent.</p>	<p>At any time, a law enforcement officer or law clerk can orally notify the respondent of the order.</p> <p>The notice must include information about the existence of the personal protection order, the specific conduct enjoined, the penalties for violating the order, and where the respondent can get a copy of the order. Mich. Comp. Laws Serv. § 600.2950(18), (22).</p>	<p>All service of process except for case initiation must be performed using electronic means to the greatest extent possible. MCR 2.107(G).</p> <p>The parties may agree to alternative electronic service by filing a stipulation in that case. Alternative electronic service may be e-mail or text message or an alert consisting of an e-mail or text message to log into a secure website to view notices and court papers. MCR 2.107(C)(4).</p>	<p>Law clerk of law enforcement officer. Mich. Comp. Laws Serv. § 600.2950(18).</p> <p>In general, service can be made by any legally competent adult who is not a party. MCR 2.103.</p>
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	<p>restricted to the addressee at the last known address or addresses of the parent, guardian, or custodian. A proof of service or proof of oral notice must be filed with the clerk of the court issuing the personal protection order. This subsection does not prohibit the immediate effectiveness of a personal protection order or its immediate enforcement under subsections (21) and (22).</p> <p>(22) If the individual restrained or enjoined has not been served, a law enforcement agency or officer responding to a call alleging a violation of a personal protection order shall serve the individual restrained or enjoined with a true copy of the order or advise the individual restrained or enjoined of the existence of the personal protection order, the specific conduct enjoined, the penalties for violating the order, and where the individual restrained or enjoined may obtain a copy of the order. The law enforcement officer shall enforce the personal protection order and immediately enter or cause to be entered into the law enforcement information network that the individual restrained or enjoined has actual notice of the personal protection order. The law enforcement officer also shall file a proof of service or proof of oral notice with the clerk of the court issuing the personal protection order. If the individual restrained or enjoined has not received notice of the personal protection order, the individual restrained or enjoined must be given an opportunity to comply with the personal protection order before the law enforcement officer makes a custodial arrest for violation of the personal protection order. The failure to immediately comply with the personal protection order is grounds for an immediate custodial arrest. This subsection does not</p>					
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<p>preclude an arrest under section 15 or 15a of chapter IV of the code of criminal procedure, 1927 PA 175, MCL 764.15 and 764.15a, or a proceeding under section 14 of chapter XIIA of the probate code of 1939, 1939 PA 288, MCL 712A.14.</p> <p><u>Mich. Comp. Laws Serv. § 600.2950i</u> <u>Foreign protection order; validity; affirmative defenses</u> (1) A foreign protection order is valid if all of the following conditions are met:</p> <p> (a) The issuing court had jurisdiction over the parties and subject matter under the laws of the issuing state, tribe, or territory.</p> <p> (b) Reasonable notice and opportunity to be heard is given to the respondent sufficient to protect the respondent’s right to due process. In the case of ex parte orders, notice and opportunity to be heard must be provided to the respondent within the time required by state or tribal law, and in any event within a reasonable time after the order is issued, sufficient to protect the respondent’s due process rights.</p> <p>(2) All of the following may be affirmative defenses to any charge or process filed seeking enforcement of a foreign protection order:</p> <p> (a) Lack of jurisdiction by the issuing court over the parties or subject matter.</p> <p> (b) Failure to provide notice and opportunity to be heard.</p> <p> (c) Lack of filing of a complaint, petition, or motion by or on behalf of a person seeking protection in a civil foreign protection order.</p> <p><u>MCR 2.103 Process; Who May Serve.</u></p>					
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	<p>(A) Service Generally. Process in civil actions may be served by any legally competent adult who is not a party or an officer of a corporate party.</p> <p>(B) Service Requiring Seizure of Property. A writ of restitution or process requiring the seizure or attachment of property may only be served by</p> <p> (1) a sheriff or deputy sheriff, or a bailiff or court officer appointed by the court for that purpose,</p> <p> (2) an officer of the Department of State Police in an action in which the state is a party, or</p> <p> (3) a police officer of an incorporated city or village in an action in which the city or village is a party.</p> <p>A writ of garnishment may be served by any person authorized by subrule (A).</p> <p>(C) Service in a Governmental Institution. If personal service of process is to be made on a person in a governmental institution, hospital, or home, service must be made by the person in charge of the institution or by someone designated by that person.</p> <p>(D) Process Requiring Arrest. Process in civil proceedings requiring the arrest of a person may be served only by a sheriff, deputy sheriff, or police officer, or by a court officer appointed by the court for that purpose.</p> <p><u>MCR 2.107. Service and Filing of Pleadings and Other Documents.</u></p> <p><u>(C)(2)(3)(4)(a)(b)(g)(h)(i),(E),(G)</u></p> <p>(C) Manner of Service. Except under MCR 1.109(G)(6)(a), service of a copy of a document on an attorney must be made by delivery or by</p>					
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	<p>mailing to the attorney at his or her last known business address or, if the attorney does not have a business address, then to his or her last known residence address. Except under MCR 1.109(G)(6)(a), service on a party must be made by delivery or by mailing to the party at the address stated in the party's pleadings.</p> <p>(2) Delivery to Party. Delivery of a copy to a party within this rule means</p> <p>(a) handing it to the party personally, serving it electronically under MCR 1.109(G)(6)(a), or, if agreed to by the parties, e-mailing it to the party as allowed under MCR 2.107(C)(4); or</p> <p>(b) leaving it at the party's usual residence with some person of suitable age and discretion residing there.</p> <p>(3) Mailing. Mailing a copy under this rule means enclosing it in a sealed envelope with first class postage fully prepaid, addressed to the person to be served, and depositing the envelope and its contents in the United States mail. Service by mail is complete at the time of mailing.</p> <p>(4) Alternative Electronic Service</p> <p>(a) Except as provided by MCR 1.109(G)(6)(a)(ii), the parties may agree to alternative electronic service among themselves by filing a stipulation in that case. Some or all of the parties may also agree to alternative electronic service of notices and court documents in a particular case by a court or a friend of the court by filing an agreement with the court or friend of the court respectively. Alternative electronic service may be by any of the following methods:</p> <p>(i) e-mail,</p> <p>(ii) text message, or</p>					
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	<p>(iii) alert consisting of an e-mail or text message to log into a secure website to view notices and court papers.</p> <p>(b) Obligation to Provide and Update Information.</p> <p>(i) The agreement for alternative electronic service shall set forth the e-mail addresses or phone numbers for service. Attorneys who agree to e-mail service shall include the same e-mail address currently on file with the State Bar of Michigan. If an attorney is not a member of the State Bar of Michigan, the e-mail address shall be the e-mail address currently on file with the appropriate registering agency in the state of the attorney's admission. Parties or attorneys who have agreed to alternative electronic service under this subrule shall immediately notify, as required, the court or the friend of the court if the e-mail address or phone number for service changes.</p> <p>(ii) The agreement for service by text message or text message alert shall set forth the phone number for service. Parties or attorneys who have agreed to service by text message or text message alert under this subrule shall immediately notify, as required, the court or the friend of the court if the phone number for service changes.</p> <p>(g) An alternative electronic service transmission sent at or before 11:59 p.m. shall be deemed to be served on that day. If the transmission is sent on a Saturday, Sunday, legal holiday, or other day on which the court is closed pursuant to court order, it is deemed to be served on the next business day.</p>					
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	<p>(h) A party or attorney may withdraw from an agreement for alternative electronic service by notifying the party or parties, court, and the friend of the court, as appropriate, in writing and shall take effect immediately.</p> <p>(i) Alternative electronic service is complete upon transmission, unless the party, court, or friend of the court making service learns that the attempted service did not reach the intended recipient. If an alternative electronic service transmission is undeliverable, the entity responsible for serving the document must serve the document by regular mail under MCR 2.107(C)(3) or by delivery under MCR 2.107(C)(1) or (2), and include a copy of the return notice indicating that the electronic transmission was undeliverable. The court or friend of the court must also retain a notice that the electronic transmission was undeliverable.</p> <p>(E) Service Prescribed by Court. When service of documents after the original complaint cannot reasonably be made because there is no attorney of record, because the party cannot be found, or for any other reason, the court, for good cause on ex parte application, may direct in what manner and on whom service may be made.</p> <p>(G) Notwithstanding any other provision of this rule, until further order of the Court, all service of process except for case initiation must be performed using electronic means (e-Filing where available, email, or fax, where available) to the greatest extent possible. Email transmission does not require agreement by the other party(s) but should</p>					
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	<p>otherwise comply as much as possible with the provisions of subsection (C)(4).</p> <p>MCR 1.109. Court Records Defined; Document Defined; Filing Standards; Signatures; Electronic Filing and Service; Access. (G)(6)(a [Effective until January 1, 2024]/MCR 1.109. Court Records Defined; Document Defined; Filing Standards; Signatures; Electronic Filing and Service; Access. (G)(6)(a</p> <p>(6) Electronic-Service Process.</p> <p>(a) General Provisions.</p> <p>(i) Service of process of case initiating documents shall be made in accordance with the rules and laws required for the particular case type.</p> <p>(ii) Service of process of all other documents electronically filed shall be accomplished electronically among authorized users through the electronic-filing system. If a party has been exempted from electronic filing or has not registered with the electronic-filing system, service shall be made on that party by any other method required by Michigan Court Rules.</p> <p>(iii) Delivery of documents through the electronic-filing system in conformity with these rules is valid and effective personal service and is proof of service under Michigan Court Rules.</p> <p>(iv) Except for service of process of initiating documents and as otherwise directed by the court or court rule, service may be performed simultaneously with filing.</p> <p>(v) When a court rule permits service by mail, service may be accomplished electronically under this subrule.</p>					
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<p>MINNESOTA</p> <p>Domestic Violence Restraining Order</p> <p>Minn. Stat. Ann. § 518B.01</p> <p>Minn. R. Civ. P. 5.02</p>	<p><u>Minn. Stat. Ann. § 518B.01(3a), (5), (7)(c)-(d), (8)(a)-(c), (8a), (9), (9a) DOMESTIC ABUSE ACT</u></p> <p>Subd. 3a. Filing fee.— The filing fees for an order for protection under this section are waived for the petitioner and respondent.</p> <p>Subd. 5. Hearing on application; notice.</p> <p>(a) Upon receipt of the petition, the court shall order a hearing which shall be held not later than 14 days from the date of the order for hearing unless an ex parte order is issued.</p> <p>(b) If an ex parte order has been issued under subdivision 7 and the petitioner seeks only the relief under subdivision 7, paragraph (a), a hearing is not required unless:</p> <p>(1) the court declines to order the requested relief; or</p> <p>(2) one of the parties requests a hearing.</p> <p>(c) If an ex parte order has been issued under subdivision 7 and the petitioner seeks relief beyond that specified in subdivision 7, paragraph (a), or if the court declines to order relief requested by the petitioner, a hearing must be held within seven days. Personal service of the ex parte order may be made upon the respondent and any custodian at any time up to 12 hours prior to the time set for the hearing, provided that the respondent at the hearing may request a continuance of up to five days if served fewer than five days prior to the hearing which continuance shall be granted unless there are compelling reasons not to.</p> <p>(d) If an ex parte order has been issued only granting relief under subdivision 7, paragraph (a), and the respondent requests</p>	<p>Personal service or short form notice must be attempted for any petition or protection order. Minn. Stat. Ann. § 518B.01 (8)(a).</p> <p>If personal service cannot be made, the court may order an alternate method of service. The court will order service by first class mail to any address where there is a reasonable possibility the information will be conveyed to the respondent. The court may order service by publication, but only if it has a reasonable chance of actually notifying the respondent. Minn. Stat. Ann. § 518B.01 (8)(c).</p> <p>Orders for dismissal may be served personally or by certified mail. Minn. Stat. Ann. § 518B.01 (8)(a).</p>	<p>Ex parte order: personal service must be made within 14 days after the ex parte order is issued, otherwise the order expires.</p> <p>Service can be made by published notice if the respondent has been avoiding service. Unless personal service is completed, if service by published notice is not completed within 28 days of issuance of the ex parte order, the order expires. Minn. Stat. Ann. § 518B.01 (5)(f), (7)(d).</p> <p>Final order – Respondent requesting a hearing when an ex parte order has been issued: Service of the notice of hearing must be made upon the petitioner not less than five days prior to the hearing. The court shall serve the</p>	<p>The respondent can be served with a short form notification instead of a full copy of the order. The short form will include certain basic information about the order, and information on how the respondent can get a full copy of the order. Minn. Stat. Ann. § 518B.01 (8a).</p>	<p>In general, service by electronic means is allowed for documents served after the original summons. Minn. R. Civ. P. 5.02(b)</p> <p>Otherwise, the statute is silent.</p>	<p>Usually by Sheriff.</p> <p>Protection orders can be served by peace officers licensed by the state of Minnesota and corrections officers, including, but not limited to, probation officers, court services officers, parole officers, and employees of jails or correctional facilities. Minn. Stat. Ann. § 518B.01 (9a).</p> <p>Private process server when the sheriff or other law enforcement or corrections officer is unavailable. Minn. Stat. Ann. § 518B.01(3a).</p> <p>Short form notice can be made by a law enforcement officer. Minn. Stat. Ann. § 518B.01 (8a).</p>
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	<p>a hearing, the hearing shall be held within ten days of the court's receipt of the respondent's request. Service of the notice of hearing must be made upon the petitioner and any custodian not less than five days prior to the hearing. The court shall serve the notice of hearing upon the petitioner and any custodian by mail in the manner provided in the Rules of Civil Procedure for pleadings subsequent to a complaint and motions and shall also mail notice of the date and time of the hearing to the respondent. In the event that service cannot be completed in time to give the respondent, petitioner, or any custodian the minimum notice required under this subdivision, the court may set a new hearing date no more than five days later.</p> <p>(e) If for good cause shown either party is unable to proceed at the initial hearing and requests a continuance and the court finds that a continuance is appropriate, the hearing may be continued. Unless otherwise agreed by the parties and approved by the court, the continuance shall be for no more than five days. If the court grants the requested continuance, the court shall also issue a written order continuing all provisions of the ex parte order pending the issuance of an order after the hearing.</p> <p>(f) Notwithstanding the preceding provisions of this subdivision, service on the respondent may be made by one week published notice, as provided under section 645.11, provided the petitioner files with the court an affidavit stating that an attempt at personal service made by a sheriff or other law enforcement or corrections officer was unsuccessful because the respondent is avoiding service by concealment or</p>		<p>petitioner by mail.</p> <p>Final Order – Petitioner requesting a final order when an ex parte order has been issued:</p> <p>Personal service of the ex parte order may be made upon the respondent at any time up to 12 hours before the hearing, but the respondent may request a continuance of up to five days if served fewer than five days prior to the hearing.</p>			
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	<p>otherwise, and that a copy of the petition and notice of hearing has been mailed to the respondent at the respondent's residence or that the residence is not known to the petitioner. Service under this paragraph is complete seven days after publication. The court shall set a new hearing date if necessary to allow the respondent the five-day minimum notice required under paragraph (d).</p> <p>Subd. 7. Ex parte order.</p> <p>(c) Subject to paragraph (d), an ex parte order for protection shall be effective for a fixed period set by the court, as provided in subdivision 6, paragraph (b), or until modified or vacated by the court pursuant to a hearing. When signed by a referee, the ex parte order becomes effective upon the referee's signature. Upon request, a hearing, as provided by this section, shall be set. Except as provided in paragraph (d), the respondent shall be personally served forthwith a copy of the ex parte order along with a copy of the petition and, if requested by the petitioner, notice of the date set for the hearing. Any custodian must be served with a copy of the ex parte order. Service on a custodian may be made by personal service or by certified mail. If the petitioner does not request a hearing, an order served on a respondent under this subdivision must include a notice advising the respondent of the right to request a hearing, must be accompanied by a form that can be used by the respondent to request a hearing and must include a conspicuous notice that a hearing will not be held unless requested by the respondent within five days of service of the order.</p> <p>(d) Service of the ex parte order on the</p>					
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	<p>respondent may be made by published notice, as provided under subdivision 5, provided that the petitioner files the affidavit required under that subdivision. If personal service is not made or the affidavit is not filed within 14 days of issuance of the ex parte order, the order expires. If the petitioner does not request a hearing, the petition mailed to the respondent's residence, if known, must be accompanied by the form for requesting a hearing and notice described in paragraph (c). Unless personal service is completed, if service by published notice is not completed within 28 days of issuance of the ex parte order, the order expires. Notice that an order has expired under this paragraph must be sent to any custodian.</p> <p>(e) If the petitioner seeks relief under subdivision 6 other than the relief described in paragraph (a), the petitioner must request a hearing to obtain the additional relief.</p> <p>Subd. 8. Service; alternate service; publication; notice.</p> <p>(a) The petition and any order issued under this section other than orders for dismissal shall be served on the respondent personally, or if the respondent appears remotely for a hearing and is notified at the hearing by the judicial officer that an order for protection will be issued, the order may be served on the respondent electronically or by first class mail, as ordered by the court. Orders for dismissal may be served on the respondent personally or by certified mail. In lieu of personal service of an order for protection, a law enforcement officer may serve a respondent with a short-form notification as provided in subdivision 8a. The petition and any order issued under this</p>					
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	<p>section may be served on any custodian personally or by certified mail.</p> <p>(b) When service is made out of this state and in the United States, it may be proved by the affidavit of the person making the service. When service is made outside the United States, it may be proved by the affidavit of the person making the service, taken before and certified by any United States minister, charge d'affaires, commissioner, consul, or commercial agent, or other consular or diplomatic officer of the United States appointed to reside in the other country, including all deputies or other representatives of the officer authorized to perform their duties; or before an office authorized to administer an oath with the certificate of an officer of a court of record of the country in which the affidavit is taken as to the identity and authority of the officer taking the affidavit.</p> <p>(c) If personal service cannot be made on a respondent, the court may order service of the petition and any order issued under this section by alternate means, or by publication, which publication must be made as in other actions. The application for alternate service must include the last known location of the respondent; the petitioner's most recent contacts with the respondent; the last known location of the respondent's employment; the names and locations of the respondent's parents, siblings, children, and other close relatives; the names and locations of other persons who are likely to know the respondent's whereabouts; and a description of efforts to locate those persons.</p> <p>The court shall consider the length of time the respondent's location has been</p>					
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	<p>unknown, the likelihood that the respondent's location will become known, the nature of the relief sought, and the nature of efforts made to locate the respondent. The court shall order service by first class mail, forwarding address requested, to any addresses where there is a reasonable possibility that mail or information will be forwarded or communicated to the respondent. The court may also order publication, within or without the state, but only if it might reasonably succeed in notifying the respondent of the proceeding. Service shall be deemed complete 14 days after mailing or 14 days after court-ordered publication.</p> <p>Subd. 8a. Short form notification.</p> <p>(a)</p> <p>In lieu of personal service of an order for protection under subdivision 8, a law enforcement officer may serve a respondent with a short-form notification. The short-form notification must include the following clauses: the respondent's name; the respondent's date of birth, if known; the petitioner's name; the names of other protected parties; the date and county in which the ex parte order for protection or order for protection was filed; the court file number; the hearing date and time, if known; the conditions that apply to the respondent, either in checklist form or handwritten; and the name of the judge who signed the order.</p> <p>The short form notification must be in bold print in the following form:</p> <p style="padding-left: 40px;">The order for protection is now enforceable. You must report to your nearest sheriff office or county court to obtain a copy of the order for protection.</p>					
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	<p>You are subject to arrest and may be charged with a misdemeanor, gross misdemeanor, or felony if you violate any of the terms of the order for protection or this short form notification.</p> <p>(b) Upon verification of the identity of the respondent and the existence of an unserved order for protection against the respondent, a law enforcement officer may detain the respondent for a reasonable time necessary to complete and serve the short form notification.</p> <p>(c) When service is made by short form notification, it may be proved by the affidavit of the law enforcement officer making the service.</p> <p>(d) For service under this section only, service upon an individual may occur at any time, including Sundays, and legal holidays.</p> <p>(e) The superintendent of the Bureau of Criminal Apprehension shall provide the short form to law enforcement agencies.</p> <p>Subd. 9. Assistance of sheriff in service or execution. — When an order is issued under this section upon request of the petitioner, the court shall order the sheriff to accompany the petitioner and assist in placing the petitioner in possession of the dwelling or residence.</p> <p>Subd. 9a. Personal service; procedures; cost; reasonable efforts and cooperation required.</p> <p>(c) Peace officers licensed by the state of Minnesota and corrections officers, including, but not limited to, probation officers, court services officers, parole officers, and employees of jails or correctional facilities, may serve an order for protection on a respondent or any custodian and must, to the extent possible, provide any sheriff, law enforcement officer, or other peace officer</p>					
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<p>attempting to effectuate service with relevant information regarding where a respondent may be found, such as the respondent's residence, the respondent's place of employment or schooling, or other locations frequented by the respondent.</p> <p>Subd. 19a. Entry and enforcement of foreign protective orders.</p> <p>(f) A foreign protective order is presumed valid if it meets all of the following:</p> <p>(4) the order was issued in accordance with the respondent's due process rights, either after the respondent was provided with reasonable notice and an opportunity to be heard before the court or tribunal that issued the order, or in the case of an ex parte order, the respondent was granted notice and an opportunity to be heard within a reasonable time after the order was issued.</p> <p><u>Minn. R. Civ. P. 5.02.</u></p> <p>(a) Methods of Service. — Whenever under these rules service is required or permitted to be made upon a party represented by an attorney, the service shall be made upon the attorney unless service upon the party is ordered by the court. Written admission of service by the party or the party's attorney shall be sufficient proof of service. If Rule 14 of the General Rules of Practice for the District Courts or an order of the Minnesota Supreme Court authorizes or requires that service be made by electronic means, service shall be made by compliance with subdivision (b) of this rule. Otherwise, service upon the attorney or upon a party shall be made by delivering a copy to the attorney or party; by mailing a copy to the attorney or party at the attorney's or party's</p>						
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	<p>last known address; or, if no address is known, by leaving it with the court administrator. Delivery of a copy within this rule means: handing it to the attorney or to the party; or leaving it at the attorney's or party's office with a clerk or other person in charge thereof; or, if there is no one in charge, leaving it in a conspicuous place therein; or, if the office is closed or the person to be served has no office, leaving it at the attorney's or party's dwelling house or usual place of abode with some person of suitable age and discretion then residing therein.</p> <p>(b) E-Service. — Service of all documents after the original complaint may, and where required by these rules shall, be made by electronic means as other authorized by Rule 14 of the General Rules of Practice for the District Courts.</p> <p>(c) Effective Date of Service. — Service by mail is complete upon mailing. Service by facsimile is complete upon completion of the facsimile transmission. Service by authorized electronic means using the court's E-Filing System as defined by Rule 14 of the General Rules of Practice for the District Courts is complete upon completion of the electronic transmission of the document(s) to the E-Filing System.</p> <p>(d) Technical Errors; Relief. — Upon satisfactory proof that electronic filing or electronic service of a document was not completed, any party may obtain relief in accordance with Rule 14.01(fc) of the General Rules of Practice for the District Courts.</p>					
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<p>MISSISSIPPI</p> <p>Domestic Abuse Protection Order</p> <p>Miss. Code Ann. § 93-21-11</p> <p>Miss. Code Ann. § 93-21-13</p> <p>Miss. Code Ann. § 93-22-5</p> <p>Miss. Code Ann. § 93-22-7</p> <p>M.R.C.P. Rule 4 M.R.C.P. Rule 5</p>	<p><u>Miss. Code Ann. § 93-21-11(2)</u> <u>Notice and hearing</u> (2) The respondent shall be given notice of the filing of any petition and of the date, time and place set for the hearing by personal service of process. A court may conduct a hearing in the absence of the respondent after first ascertaining that the respondent was properly noticed of the hearing date, time and place.</p> <p><u>Miss. Code Ann. § 93-21-13(1)(a)</u> <u>Emergency domestic abuse protection order; duration of order; extension; entry of protection order into Mississippi Protection Order Registry; de novo hearing for parties aggrieved by issuance or denial of issuance of order</u> (1) (a) The court in which a petition seeking emergency relief pending a hearing is filed must consider all such requests in an expedited manner and shall not refer or direct the matter to be sent to another court. The court may issue an emergency domestic abuse protection order without prior notice to the respondent upon good cause shown by the petitioner. Immediate and present danger of abuse to the petitioner, any minor children or any person alleged to be incompetent shall constitute good cause for issuance of an emergency domestic abuse protection order. The respondent shall be provided with notice of the entry of any emergency domestic abuse protection order issued by the court by personal service of process.</p> <p><u>Miss. Code Ann. § 93-22-5(1), (4)(d)</u> <u>Judicial enforcement of order</u> (1) A tribunal of this state shall enforce the</p>	<p>Notice of a hearing on a final order must be served personally. Miss. Code Ann. § 93-21-11(2).</p> <p>Emergency orders must be served personally. Miss. Code Ann. § 93-21-13(1)(a).</p> <p>Statute is otherwise silent.</p>	<p>Service must be completed within 120 days.</p>	<p>Statute is silent.</p>	<p>In general, service by electronic means is allowed for documents served after the original summons. M.R.C.P. Rule 5.</p> <p>The statute is otherwise silent.</p>	<p>Statute is silent.</p>
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	<p>terms of a valid foreign protection order, including terms that provide relief that a tribunal of this state would lack power to provide but for this section. A tribunal of this state shall enforce a valid foreign protection order issued by a tribunal, whether the order was obtained by independent action or in another proceeding, if it is an order issued in response to a complaint, petition, or motion filed by or on behalf of an individual seeking protection. A tribunal of this state may not enforce an order issued by a tribunal that does not recognize the standing of a protected individual to seek enforcement of the order. In a proceeding to enforce a foreign protection order, the tribunal shall follow the procedures of this state for the enforcement of protection orders.</p> <p>(4) A protection order is valid if it:</p> <p>(d) Was issued after the respondent was provided with reasonable notice and had an opportunity to be heard before the tribunal issued the order or, in the case of an order ex parte, the respondent was given notice and afforded an opportunity to be heard within a reasonable time after the issuing of the order, consistent with the rights of the respondent to due process.</p> <p><u>Miss. Code Ann. § 93-22-7(3)</u> <u>Nonjudicial enforcement of order</u></p> <p>(3) If a law enforcement officer of this state determines that an otherwise valid foreign protection order cannot be enforced because the respondent has not been notified or served with the order, the officer shall inform the respondent of the order and make a reasonable effort to serve the order upon the respondent. After informing the respondent and serving the order, the officer shall allow</p>					
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	<p>the respondent a reasonable opportunity to comply with the order before enforcing the order.</p> <p><u>M.R.C.P. Rule 4. Summons.</u></p> <p>(a) Summons: issuance. — Upon filing of the complaint, the clerk shall forthwith issue a summons.</p> <p>(1) At the written election of the plaintiff or the plaintiff's attorney, the clerk shall:</p> <p>(A) Deliver the summons to the plaintiff or plaintiff's attorney for service under subparagraphs (c)(1) or (c)(3) or (c)(4) or (c)(5) of this rule.</p> <p>(B) Deliver the summons to the sheriff of the county in which the defendant resides or is found for service under subparagraph (c)(2) of this rule.</p> <p>(C) Make service by publication under subparagraph (c)(4) of this rule.</p> <p>(2) The person to whom the summons is delivered shall be responsible for prompt service of the summons and a copy of the complaint. Upon request of the plaintiff, separate or additional summons shall issue against any defendants.</p> <p>(b) Same: form. — The summons shall be dated and signed by the clerk, be under the seal of the court, contain the name of the court and the names of the parties, be directed to the defendant, state the name and address of the plaintiff's attorney, if any, otherwise the plaintiff's address, and the time within which these rules require the defendant to appear and defend, and shall notify him that in case of his failure to do so judgment by default will be rendered against him for the relief demanded in the complaint. Where there are multiple plaintiffs or multiple defendants, or both, the summons, except where service is</p>					
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<p>made by publication, may contain, in lieu of the names of all parties, the name of the first party on each side and the name and address of the party to be served. Summons served by process server shall substantially conform to Form 1A. Summons served by sheriff shall substantially conform to Form 1AA.</p> <p>(c) Service: —</p> <p>(1) By process server. — A summons and complaint shall, except as provided in subparagraphs (2) and (4) of this subdivision, be served by any person who is not a party and is not less than 18 years of age. When a summons and complaint are served by process server, an amount not exceeding that statutorily allowed to the sheriff for service of process may be taxed as recoverable costs in the action.</p> <p>(2) By sheriff. — A summons and complaint shall, at the written request of a party seeking service or such party’s attorney, be served by the sheriff of the county in which the defendant resides or is found, in any manner prescribed by subdivision (d) of this rule. The sheriff shall mark on all summons the date of the receipt by him, and within thirty days of the date of such receipt of the summons the sheriff shall return the same to the clerk of the court from which it was issued.</p> <p>(3) By mail. —</p> <p>(A) A summons and complaint may be served upon a defendant of any class referred to in paragraph (1) or (4) of subdivision (d) of this rule by mailing a copy of the summons and of the complaint (by first-class mail, postage prepaid) to the person to be served, together with two copies of a notice and acknowledgment conforming substantially to Form 1-B and a return envelope, postage prepaid, addressed to the sender.</p>						
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<p>(B) If no acknowledgment of service under this subdivision of this rule is received by the sender within 20 days after the date of mailing, service of such summons and complaint may be made in any other manner permitted by this rule.</p> <p>(C) Unless good cause is shown for not doing so, the court shall order the payment of the costs of personal service by the person served if such person does not complete and return within 20 days after mailing the notice and acknowledgment of receipt of summons.</p> <p>(D) The notice and acknowledgment of receipt of summons and complaint shall be executed under oath or affirmation.</p> <p>(4) By publication. —</p> <p>(A) If the defendant in any proceeding in a chancery court, or in any proceeding in any other court where process by publication is authorized by statute, be shown by sworn complaint or sworn petition, or by a filed affidavit, to be a nonresident of this state or not to be found therein on diligent inquiry and the post office address of such defendant be stated in the complaint, petition, or affidavit, or if it be stated in such sworn complaint or petition that the post office address of the defendant is not known to the plaintiff or petitioner after diligent inquiry, or if the affidavit be made by another for the plaintiff or petitioner, that such post office address is unknown to the affiant after diligent inquiry and he believes it is unknown to the plaintiff or petitioner after diligent inquiry by the plaintiff or petitioner, the clerk, upon filing the complaint or petition, account or other commencement of a proceeding, shall promptly prepare and publish a summons to the defendant to appear and defend the suit. The summons shall be substantially in the</p>					
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	<p>form set forth in Form 1-C.</p> <p>(B) The publication of said summons shall be made once in each week during three successive weeks in a public newspaper of the county in which the complaint or petition, account, cause or other proceeding is pending if there be such a newspaper, and where there is no newspaper in the county the notice shall be posted at the courthouse door of the county and published as above provided in a public newspaper in an adjoining county or at the seat of government of the state. Upon completion of publication, proof of the prescribed publication shall be filed in the papers in the cause. The defendant shall have thirty (30) days from the date of first publication in which to appear and defend. Where the post office address of a defendant is given, the street address, if any, shall also be stated unless the complaint, petition, or affidavit above mentioned, avers that after diligent search and inquiry said street address cannot be ascertained.</p> <p>(C) It shall be the duty of the clerk to hand the summons to the plaintiff or petitioner to be published, or, at his request, and at his expense, to hand it to the publisher of the proper newspaper for publication. Where the post office address of the absent defendant is stated, it shall be the duty of the clerk to send by mail (first class mail, postage prepaid) to the address of the defendant, at his post office, a copy of the summons and complaint and to note the fact of issuing the same and mailing the copy, on the general docket, and this shall be the evidence of the summons having been mailed to the defendant.</p> <p>(D) When unknown heirs are made parties defendant in any proceeding in the chancery court, upon affidavit that the names of such</p>					
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<p>heirs are unknown, the plaintiff may have publication of summons for them and such proceedings shall be thereupon in all respects as are authorized in the case of a nonresident defendant. When the parties in interest are unknown, and affidavit of that fact be filed, they may be made parties by publication to them as unknown parties in interest.</p> <p>(E) Where summons by publication is upon any unmarried infant, mentally incompetent person, or other person who by reason of advanced age, physical incapacity or mental weakness is incapable of managing his own estate, summons shall also be had upon such other person as shall be required to receive a copy of the summons under paragraph (2) of subdivision (d) of this rule.</p> <p>(5) Service by certified mail on person outside state. — In addition to service by any other method provided by this rule, a summons may be served on a person outside this state by sending a copy of the summons and of the complaint to the person to be served by certified mail, return receipt requested. Where the defendant is a natural person, the envelope containing the summons and complaint shall be marked “restricted delivery.” Service by this method shall be deemed complete as of the date of delivery as evidenced by the return receipt or by the returned envelope marked “Refused.”</p> <p>(d) Summons and complaint: person to be served. — The summons and complaint shall be served together. Service by sheriff or process server shall be made as follows:</p> <p>(1) Upon an individual other than an unmarried infant or a mentally incompetent person,</p> <p>(A) by delivering a copy of the summons and of the complaint to him personally or to an</p>						
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	<p>agent authorized by appointment or by law to receive service of process; or</p> <p>(B) if service under subparagraph (1)(A) of this subdivision cannot be made with reasonable diligence, by leaving a copy of the summons and complaint at the defendant's usual place of abode with the defendant's spouse or some other person of the defendant's family above the age of sixteen years who is willing to receive service, and by thereafter mailing a copy of the summons and complaint (by first class mail, postage prepaid) to the person to be served at the place where a copy of the summons and of the complaint were left. Service of a summons in this manner is deemed complete on the 10th day after such mailing.</p> <p>(C) upon a mentally incompetent person who is judicially confined in an institution for the mentally ill or mentally retarded by delivering a copy of the summons and complaint to the incompetent person and by delivering copies to said incompetent's guardian (of either the person or the estate) if any he has. If the superintendent of said institution or similar official or person shall certify by certificate endorsed on or attached to the summons that said incompetent is mentally incapable of responding to process, service of summons and complaint on such incompetent shall not be required. Where said confined incompetent has neither guardian nor conservator, the court shall appoint a guardian ad litem for said incompetent to whom copies shall be delivered.</p> <p>(D) where service of a summons is required under (A), (B) and (C) of this subparagraph to be made upon a person other than the infant, incompetent, or incapable defendant and</p>					
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<p>such person is a plaintiff in the action or has an interest therein adverse to that of said defendant, then such person shall be deemed not to exist for the purpose of service and the requirement of service in (A), (B) and (C) of this subparagraph shall not be met by service upon such person.</p> <p>(E) if none of the persons required to be served in (A) and (B) above exist other than the infant, incompetent or incapable defendant, then the court shall appoint a guardian ad litem for an infant defendant under the age of 12 years and may appoint a guardian ad litem for such other defendant to whom a copy of the summons and complaint shall be delivered. Delivery of a copy of the summons and complaint to such guardian ad litem shall not dispense with delivery of copies to the infant, incompetent or incapable defendant where specifically required in (A), and (B) of this subparagraph.</p> <p>(3) Upon an individual confined to a penal institution of this state or of a subdivision of this state by delivering a copy of the summons and complaint to the individual, except that when the individual to be served is an unmarried infant or mentally incompetent person the provisions of subparagraph (d)(2) of this rule shall be followed.</p> <p>(4) Upon a domestic or foreign corporation or upon a partnership or other unincorporated association which is subject to suit under a common name, by delivering a copy of the summons and of the complaint to an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process.</p> <p>(5) Upon the State of Mississippi or any one of its departments, officers or institutions, by delivering a copy of the summons and</p>					
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<p>complaint to the Attorney General of the State of Mississippi.</p> <p>(6) Upon a county by delivering a copy of the summons and complaint to the president or clerk of the board of supervisors.</p> <p>(7) Upon a municipal corporation by delivering a copy of the summons and complaint to the mayor or municipal clerk of said municipal corporation.</p> <p>(8) Upon any governmental entity not mentioned above, by delivering a copy of the summons and complaint to the person, officer, group or body responsible for the administration of that entity or by serving the appropriate legal officer, if any, representing the entity. Service upon any person who is a member of the “group” or “body” responsible for the administration of the entity shall be sufficient.</p> <p>(e) Waiver. — Any party defendant who is not an unmarried minor, or mentally incompetent may, without filing any pleading therein, waive the service of process or enter his or her appearance, either or both, in any action, with the same effect as if he or she had been duly served with process, in the manner required by law on the day of the date thereof. Such waiver of service or entry of appearance shall be in writing dated and signed by the defendant and duly sworn to or acknowledged by him or her, or his or her signature thereto be proven by two (2) subscribing witnesses before some officer authorized to administer oaths. Any guardian or conservator may likewise waive process on himself and/or his ward, and any executor, administrator, or trustee may likewise waive process on himself in his fiduciary capacity. However, such written waiver of service or entry of appearance must be executed after the day on</p>						
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<p>which the action was commenced and be filed among the papers in the cause and noted on the general docket.</p> <p>(f) Return. — The person serving the process shall make proof of service thereof to the court promptly. If service is made by a person other than a sheriff, such person shall make affidavit thereof. If service is made under paragraph (c)(3) of this rule, return shall be made by the sender's filing with the court the acknowledgment received pursuant to such subdivision. If service is made under paragraph (c)(5) of this rule, the return shall be made by the sender's filing with the court the return receipt or the returned envelope marked "Refused." Failure to make proof of service does not affect the validity of the service.</p> <p>(g) Amendment. — At any time in its discretion and upon such terms as it deems just, the court may allow any process or proof of service thereof to be amended, unless it clearly appears that material prejudice would result to the substantial rights of the party against whom the process is issued.</p> <p>(h) Summons: time limit for service. — If a service of the summons and complaint is not made upon a defendant within 120 days after the filing of the complaint and the party on whose behalf such service was required cannot show good cause why such service was not made within that period, the action shall be dismissed as to that defendant without prejudice upon the court's own initiative with notice to such party or upon motion.</p> <p><u>M.R.C.P. Rule 5. Service and filing of pleadings and other papers.</u></p> <p>(b)</p>					
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	<p>(1) Service: How Made. — Whenever under these rules service is required or permitted to be made upon a party who is represented by an attorney of record in the proceedings, the service shall be made upon such attorney unless service upon the party himself is ordered by the court. Service upon the attorney or upon a party shall be made by delivering a copy to him; or by transmitting it to him by electronic means; or by mailing it to him at his last known address, or if no address is known, by leaving it with the clerk of the court, or by transmitting it to the clerk by electronic means. Delivery of a copy within this rule means: handing it to the attorney or to the party; or leaving it at his office with his clerk or other person in charge thereof; or, if there is no one in charge, leaving it in a conspicuous place therein; or, if the office is closed or the person to be served has no office, leaving it at his dwelling house or usual place of abode with some person of suitable age and discretion then residing therein. Service by electronic means is complete when the electronic equipment being used by the attorney or party being served acknowledges receipt of the material. If the equipment used by the attorney or party being served does not automatically acknowledge the transmission, service is not complete until the sending party obtains an acknowledgment from the recipient. Service by mail is complete upon mailing.</p>					
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MISSOURI	<p><u>Mo. Rev. Stat. § 455.035(1)-(2)</u> <u>Protection orders — ex parte</u> 1. Upon the filing of a verified petition pursuant to sections 455.010 to 455.085 and for good cause shown in the petition, the court may immediately issue an ex parte order of protection. An immediate and present danger of domestic violence to the petitioner or the child on whose behalf the petition is filed shall constitute good cause for purposes of this section. An ex parte order of protection entered by the court shall take effect when entered and shall remain in effect until there is valid service of process and a hearing is held on the motion. The court shall deny the ex parte order and dismiss the petition if the petitioner is not authorized to seek relief pursuant to section 455.020.</p> <p>2. Failure to serve an ex parte order of protection on the respondent shall not affect the validity or enforceability of such order. If the respondent is less than seventeen years of age, unless otherwise emancipated, service of process shall be made upon a custodial parent or guardian of the respondent, or upon a guardian ad litem appointed by the court, requiring that the person appear and bring the respondent before the court at the time and place stated.</p> <p><u>Mo. Rev. Stat. § 455.040(2), (4)</u> <u>Hearings, when — duration of orders, renewal, requirements — copies of orders to be given, validity — duties of law enforcement agency — information entered in MULES</u> 2. The court shall cause a copy of the petition and notice of the date set for the hearing on such petition and any ex parte order of protection to be served upon the respondent</p>	<p>Ex parte orders and notice of hearings on final orders can be served personally or as otherwise provided by applicable law. Mo. Rev. Stat. § 455.040(2).</p> <p>Full protection order can be served by mail. Mo. Rev. Stat. § 455.040(2). If the respondent is less than 17 years old and is not emancipated, then service of an ex parte order must be made on their parent, guardian, or guardian ad litem appointed by the court. Mo. Rev. Stat. § 455.035(1).</p>	<p>Ex parte orders and notice of hearings must be served at least 3 days before the hearing. Mo. Rev. Stat. § 455.040(2).</p>	<p>Statute is silent.</p>	<p>Statute is silent.</p>	<p>Service can be made by any sheriff or police officer. Mo. Rev. Stat. § 455.040(2).</p> <p>Personal process server is allowed if the respondent filed for objection to an automatic renewal order. Mo. Rev. Stat. § 455.040 (4).</p>
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<p>as provided by law or by any sheriff or police officer at least three days prior to such hearing. The court shall cause a copy of any full order of protection to be served upon or mailed by certified mail to the respondent at the respondent's last known address. Notice of an ex parte or full order of protection shall be served at the earliest time, and service of such notice shall take priority over service in other actions, except those of a similar emergency nature. Failure to serve or mail a copy of the full order of protection to the respondent shall not affect the validity or enforceability of a full order of protection.</p> <p>4. The court shall cause a copy of any objection filed by the respondent and notice of the date set for the hearing on such objection to an automatic renewal of a full order of protection for a period of one year to be personally served upon the petitioner by personal process server as provided by law or by a sheriff or police officer at least three days prior to such hearing. Such service of process shall be served at the earliest time and shall take priority over service in other actions except those of a similar emergency nature.</p> <p>§ 506.140. R.S.Mo. Who shall serve process — fees paid to special process server may be taxed as costs in a claim.</p> <p>1. Service of process, except as otherwise provided, shall be made by a sheriff, or such sheriff's deputy, or in case the sheriff in any cause is for any reason disqualified, then process may be issued to and served by the coroner of the county in which such process is to be served; or some person, other than a sheriff or coroner, may be specially appointed by the court or the circuit clerk following procedures established by local court rules for</p>					
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	<p>service of process in any cause, but such appointment shall be valid for service of the process only for which such person was specially appointed.</p> <p><u>§ 506.150 R.S.Mo. Summons and petition, how served — service by mail, authorized when — notice by mail and acknowledgment form.</u></p> <p>1. The summons and petition shall be served together. Service shall be made as follows: (1) Upon an individual, including an infant or disabled or incapacitated person not having a legally appointed guardian or conservator, by delivering a copy of the summons and of the petition to him personally or by leaving a copy of the summons and of the petition at his dwelling house or usual place of abode with some person of his family over the age of fifteen years, or by delivering a copy of the summons and of the petition to an agent authorized by appointment or required by law to receive service of process;</p> <p style="text-align: center;">***</p> <p>4. Service of the summons and petition upon a defendant of any class referred to in subdivision (1) or (3) of subsection 1 of this section may be made by the plaintiff or by any person authorized to serve process pursuant to section 506.140, by mailing a copy of the summons and petition by first-class mail, postage prepaid, to the person to be served, together with two copies of a notice and acknowledgment conforming substantially to the form contained in subsection 5 of this section and a return envelope, postage prepaid, addressed to the sender. If no acknowledgment of service under this subsection is received by the sender within thirty days after the date of mailing, service of the summons and petition shall be made as otherwise provided by this section or supreme court rule. Unless good cause is shown for not doing so, the court shall order the payment of the costs of personal</p>					
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	service by the person served if such person does not complete and return within thirty days after mailing the notice and acknowledgment of receipt of summons.					
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<p>MONTANA</p> <p>Order of Protection</p> <p>Mont. Code Ann. Rule 25-20-4</p> <p>40-4-121, MCA</p> <p>40-15-204, MCA</p> <p>Mont. Code Ann. § 45-5-626</p> <p>Mont. Code Ann. § 25-3-202 USDC MT L.R. 4.5</p>	<p>Mont. Code Ann. Rule 25-20-4(d)-(e) Persons Subject to Jurisdiction; Process; Service.</p> <p>(d) Service.</p> <p>(1) In General. The summons and complaint must be served together. The plaintiff must furnish the necessary copies to the person who makes service.</p> <p>(2) In Person. Service of all process may be made in the county where the party to be served is found by a sheriff, deputy sheriff, constable, or any other person over the age of 18 not a party to the action.</p> <p>(3)</p> <p>(A) By Mail. A summons and complaint may also be served by mailing via first class mail, postage prepaid, the following to the person to be served:</p> <p>(i) a copy of the summons and complaint;</p> <p>(ii) two copies of a notice and acknowledgment conforming substantially to form 18-A; and</p> <p>(iii) a return envelope, postage prepaid, addressed to the sender.</p> <p>(B) A summons and complaint may not be served by mail to the following:</p> <p>(i) A minor;</p> <p>(ii) An incompetent person; or</p> <p>(iii) A corporation, partnership, or other unincorporated association, whether domestic or foreign.</p> <p>(C) If no acknowledgment of service by mail is received by the sender within 21 days after the date of</p>	<p>Montana Rules of Civil Procedure permit personal service to the respondent or to their authorized agent.</p> <p>Montana also permits service by mail (except in the case of minors or incompetent adults). Minors over the age of 14 may be served personally or service may be made by leaving orders with a suitable adult in the minor's home or to an authorized agent. Minors under the age of 14 may be served by serving their parent or guardian, or court appointed authority. Incompetent adults may be served by serving a guardian or to a court appointed guardian ad litem. Montana further permits service by publication if the petitioner petitions the court to do so.</p>	<p>According to Rule 4 of the Montana Rules of Civil Procedure: Unless the court orders otherwise, service must be accomplished within 90 days.</p>	<p>Statute is silent.</p>	<p>Statute is silent.</p>	<p>If a person cannot be served personally or by certified mail, the person may be served by publication. Publication must include conclusive evidence of service. Personal service can usually be made by law enforcement or a registered process server, but will vary by jurisdiction.</p>
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	<p>mailing, service of the summons and complaint must be made in person.</p> <p>(D) If a person served by mail does not complete and return the notice and acknowledgment within 21 days, the court must order that person to pay the costs of personal service unless good cause is shown for not doing so.</p> <p>(E) The notice and acknowledgment must be signed and dated by the defendant, and service of summons and complaint will be deemed complete on the date shown.</p> <p>(e) Serving an Individual. An individual — other than a minor or an incompetent person — must be served by either:</p> <p>(1) delivering a copy of the summons and complaint to the individual personally; or</p> <p>(2) delivering a copy of the summons and complaint to an agent authorized by appointment or law to receive service of process. If the agent is one designated by statute to receive service, such further notice as the statute requires must be given.</p> <p><u>Mont. Code Ann. § 40-4-121(5)</u> <u>Temporary order for maintenance or support, temporary injunction, or temporary restraining order.</u></p> <p>(5) The party against whom a temporary injunction is sought must be served with notice and a copy of the motion and is entitled to a hearing on the motion. A response may be filed within 21 days after service of notice of</p>					
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	<p>motion or at the time specified in the temporary restraining order.</p> <p><u>Mont. Code Ann. § 40-15-204(7), (8).</u> <u>Written Orders of Protection.</u> (7) An amendment to a temporary order of protection or to an order of protection is effective only after it has been served in writing on the opposing party. (8) There is no cost to file a petition for an order of protection or for service of an order of protection whether served inside or outside the jurisdiction of the court issuing the order.</p> <p><u>Mont. Code Ann. § 45-5-626(1).</u> <u>Violation or order of Protection.</u> (1) Except as provided in [section 9], a person commits the offense of violation of an order of protection if the person, with knowledge of the order, purposely or knowingly violates a provision of any order provided for in 40-4-121 or an order of protection under Title 40, chapter 15. It may be inferred that the defendant had knowledge of an order at the time of an offense if the defendant had been served with the order before the time of the offense. Service of the order is not required upon a showing that the defendant had knowledge of the order and its content.</p> <p><u>Mont. Code Ann. § 25-3-202 When officer's execution of process justified and required.</u> A sheriff, registered process server, or other ministerial officer is justified in the execution of and must execute all process and orders regular on their face and issued by competent</p>					
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	<p>authority, whatever may be the defect in the proceedings upon which they were issued.</p> <p>USDC MT L.R. 4.5 Time Limit for Service.</p> <p>(a) For purposes of Fed. R. Civ. P. 4(m), in any case where a plaintiff applies to proceed in forma pauperis and has not been denied, the time for service to be effected begins the day after entry of an order requiring service of the complaint. Unless the court orders otherwise, service must be accomplished within 90 days.</p> <p>(b) In all other cases, service must be accomplished in accordance with the time limitations in Fed. R. Civ. P. 4(m).</p>					
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NEBRASKA	<p><u>Neb. Rev. Stat. Ann § 42-925(1), (2), (3), (5), (6) Ex parte protection order; duration; notice requirements; hearing; notice; referral to referee; notice regarding firearm or ammunition</u></p> <p>(1) An order issued under section 42-924 may be issued ex parte to the respondent if it reasonably appears from the specific facts included in the affidavit that the petitioner will be in immediate danger of abuse before the matter can be heard on notice. If an order is issued ex parte, such order is a temporary order and the court shall forthwith cause notice of the petition and order to be given to the respondent. The court shall also cause a form to request a show-cause hearing to be served upon the respondent. If the respondent wishes to appear and show cause why the order should not remain in effect, he or she shall affix his or her current address, telephone number, and signature to the form and return it to the clerk of the district court within ten business days after service upon him or her. Upon receipt of a timely request for a show-cause hearing, the request of the petitioner, or upon the court's own motion, the court shall immediately schedule a show-cause hearing to be held within thirty days after the receipt of the request for a show-cause hearing and shall notify the petitioner and respondent of the hearing date. The petition and affidavit shall be deemed to have been offered into evidence at any show-cause hearing. The petition and affidavit shall be admitted into evidence unless specifically excluded by the court. If the respondent appears at the hearing and shows cause why such order should not remain in effect, the court shall rescind the temporary order.</p>	<p>Ex parte order: statute is silent.</p> <p>Final order: personal service. However, a final order does not need to be served if (1) the respondent was present at the hearing or (2) the respondent was properly served with an ex parte order and failed to appear at the hearing.</p>	<p>Ex parte and final orders must each be served within 14 days of the time at which they are issued.</p>	<p>Statute is silent.</p>	<p>Statute is silent.</p>	<p>Ex parte and final orders can be served by the sheriff of the county where the respondent can be found for service.</p> <p>A modification or dismissal of an order can be served by the local sheriff, police department, or other law enforcement agency.</p>
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	<p>(2) A temporary ex parte order shall be affirmed and deemed the final protection order and service of the temporary ex parte order shall be notice of the final protection order if the respondent has been properly served with the temporary ex parte order and:</p> <p>(a) The respondent fails to request a show-cause hearing within ten business days after service upon him or her and no hearing was requested by the petitioner or upon the court's own motion</p> <p>(b) The respondent has been properly served with notice of any hearing requested by the respondent, the petitioner, or upon the court's own motion and fails to appear at such hearing; or</p> <p>(c) The respondent has been properly served with notice of any hearing requested by the respondent, the petitioner, or upon the court's own motion and the protection order was not dismissed at the hearing.</p> <p>(3) If an order under section 42-924 is not issued ex parte, the court shall immediately schedule an evidentiary hearing to be held within fourteen days after the filing of the petition, and the court shall cause notice of the hearing to be given to the petitioner and the respondent. Any notice provided to the respondent shall include notification that a court may treat a petition for a domestic abuse protection order as a petition for a harassment protection order or a sexual assault protection order if it appears from the facts that such other protection order is more appropriate and that the respondent shall have an opportunity to show cause as to why such protection order should not be entered. If the respondent does not appear at the hearing and show cause why such order should not be</p>					
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	<p>issued, the court shall issue a final protection order.</p> <p>(5) An order issued under section 42-924 shall remain in effect for the period provided in subsection (3) of section 42-924, unless dismissed or modified by the court prior to such date. If the order grants temporary custody, such custody shall not exceed the number of days specified by the court unless the respondent shows cause why the order should not remain in effect.</p> <p>(6) The court shall also cause the notice created under section 29-2291 to be served upon the respondent notifying the respondent that it may be unlawful under federal law for a person who is subject to a protection order to possess or receive any firearm or ammunition.</p> <p><u>Neb. Rev. Stat. Ann. § 42-926 (1)-(2)</u> <u>Protection order; copies; distribution;</u> <u>sheriff; duties; dismissal or modification;</u> <u>clerk of court; duties; notice requirements</u></p> <p>(1) Upon the issuance of a temporary ex parte or final protection order under section 42-925, the clerk of the court shall forthwith provide the petitioner, without charge, with two certified copies of such order. The clerk of the court shall also forthwith provide the local police department or local law enforcement agency and the local sheriff's office, without charge, with one copy each of such order and one copy each of the sheriff's return thereon. The clerk of the court shall also forthwith provide a copy of the protection order to the sheriff's office in the county where the respondent may be personally served together with instructions for service. Upon receipt of the order and instructions for service, such sheriff's office shall forthwith serve the protection order upon the respondent and file</p>					
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<p>its return thereon with the clerk of the court which issued the protection order within fourteen days of the issuance of the protection order. If any protection order is dismissed or modified by the court, the clerk of the court shall forthwith provide the local police department or local law enforcement agency and the local sheriff's office, without charge, with one copy each of the order of dismissal or modification. If the respondent has notice as described in subsection (2) of this section, further service under this subsection is unnecessary</p> <p>(2) If the respondent was present at a hearing convened pursuant to section 42-925 and the protection order was not dismissed, the respondent shall be deemed to have notice by the court at such hearing that the protection order will be granted and remain in effect and further service of notice described in subsection (1) of this section is not required for purposes of prosecution under subsection (4) of section 42-924.</p> <p><u>Neb. Rev. Stat. Ann § 42-934(a), (d)(4)</u> <u>Judicial enforcement of order</u></p> <p>(a) A person authorized by the law of this state to seek enforcement of a protection order may seek enforcement of a valid foreign protection order in a tribunal of this state. The tribunal shall enforce the terms of the order, including terms that provide relief that a tribunal of this state would lack power to provide but for this section. The tribunal shall enforce the order, whether the order was obtained by independent action or in another proceeding, if it is an order issued in response to a complaint, petition, or motion filed by or on behalf of an individual seeking protection. In a proceeding to enforce a foreign protection</p>						
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	<p>order, the tribunal shall follow the procedures of this state for the enforcement of protection orders.</p> <p>(d) A foreign protection order is valid if it:</p> <p>(4) was issued after the respondent was given reasonable notice and had an opportunity to be heard before the tribunal issued the order or, in the case of an order ex parte, the respondent was given notice and has had or will have an opportunity to be heard within a reasonable time after the order was issued, in a manner consistent with the rights of the respondent to due process.</p> <p><u>Neb. Rev. Stat. Ann § 42-935(c)</u> <u>Nonjudicial enforcement of order</u></p> <p>(c) If a law enforcement officer of this state determines that an otherwise valid foreign protection order cannot be enforced because the respondent has not been notified or served with the order, the officer shall inform the respondent of the order, make a reasonable effort to serve the order upon the respondent, and allow the respondent a reasonable opportunity to comply with the order before enforcing the order.</p>					
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<p>NEVADA</p> <p>Domestic Violence Protection Order</p> <p>Nev. Rev. Stat. Ann. § 33.060</p> <p>Nev. Rev. Stat. Ann. § 33.065</p> <p>Nev. Rev. Stat. Ann. § 33.070</p> <p>Nev. Rev. Stat. Ann. § 33.085</p> <p>N.R.C.P. 4</p> <p>N.R.C.P. 4.2</p> <p>N.R.C.P. 4.3</p> <p>N.R.C.P. 4.4</p>	<p><u>Nev. Rev. Stat. Ann. § 33.060(2)</u> <u>Notice of order to law enforcement agency; duty to serve and enforce order without charge; no charge for copy of order for applicant and adverse party.</u> 2. The court shall order the appropriate law enforcement agency to serve, without charge, the adverse party personally with the temporary order. If after due diligence, the law enforcement agency has attempted and been unable to personally serve the adverse party with the temporary order, the law enforcement agency shall leave a notice in a conspicuous place at the last known address of the adverse party. The notice must include, without limitation, a statement that contains the following information: (a) That the adverse party must contact the law enforcement agency within 24 hours of the attempted personal service and the exact time in which the 24-hour period expires; and (b) The contact information for the law enforcement agency, including, without limitation, the phone number of the law enforcement agency. 6. Except as otherwise provided in subsection 7, service of an application for an extended order and the notice of any hearing thereon must be served upon the adverse party: (a) Pursuant to the Nevada Rules of Civil Procedure; or (b) In the manner provided in NRS 33.065.</p> <p><u>Nev. Rev. Stat. Ann. § 33.065</u> <u>Alternative method for serving adverse party at current place of employment; when adverse party deemed served; immunity from liability for employer.</u></p>	<p>Temporary orders must be served personally. If after due diligence, the law enforcement agency has attempted and been unable to personally serve the adverse party with the temporary order, the law enforcement agency shall leave a notice in a conspicuous place at the last known address of the adverse party. Nev. Rev. Stat. Ann. §33.060(2).</p> <p>If after due diligence, the law enforcement agency has attempted and been unable to serve the adverse party with personal service of the temporary order three times and the adverse party has not responded to the notices pursuant to subsection 2, the applicant may petition the court to order the law enforcement agency to serve the adverse party with the</p>	<p>Final orders must be served within 120 days after being issued, unless the petitioner shows good cause to extend that time.</p>	<p>Service of a domestic violence protection order may be accomplished by a law officer orally notifying the adverse party of the order's terms and conditions. Oral notice does not require that the order be read verbatim, but the order's complete terms and conditions must be conveyed to the adverse party to maximize the likelihood of a successful criminal prosecution. AGO 2000-02 (1-12-2000).</p>	<p>The court may order a plaintiff to make reasonable efforts to provide additional notice of the commencement of the action to a defendant using other methods of notice, including certified mail, telephone, voice message, email, social media, or any other method of communication. N.R.C.P. 4.4(d)(1).</p>	<p>Personal service may be made by the sheriff or deputy sheriff of the county where the defendant is found, or by any adult who is not a party.</p>
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	<p>1. If the current address where the adverse party resides is unknown and the law enforcement agency has made at least two attempts to personally serve the adverse party at the adverse party's current place of employment with a copy of the application for an extended order and the notice of the hearing thereon, the law enforcement agency or a person designated by the law enforcement agency may serve the adverse party by:</p> <p>(a) Delivering a copy of the application for an extended order and the notice of hearing thereon to the current place of employment of the adverse party; and</p> <p>(b) Thereafter, mailing a copy of the application for an extended order and the notice of hearing thereon to the adverse party at the adverse party's current place of employment.</p> <p>2. Delivery pursuant to paragraph (a) of subsection 1 must be made by leaving a copy of the documents specified at the current place of employment of the adverse party with the manager of the department of human resources or another similar person. Such a person shall:</p> <p>(a) Accept service of the documents and make a reasonable effort to deliver the documents to the adverse party;</p> <p>(b) Identify another appropriate person who will accept service of the documents and who shall make a reasonable effort to deliver the documents to the adverse party; or</p> <p>(c) Contact the adverse party and arrange for the adverse party to be present at the place of employment to accept service of the documents personally.</p>	<p>temporary order at his or her place of employment, if applicable. Nev. Rev. Stat. Ann. §33.060(4).</p> <p>If the adverse party is unemployed or after due diligence, the law enforcement agency has attempted and been unable to serve the adverse party with the temporary order at his or her place of employment pursuant to subsection 4, the applicant may petition the court to order the law enforcement agency to serve the adverse party by an alternative service method pursuant to the Nevada Rules of Civil Procedure. Nev. Rev. Stat. Ann. §33.060(5).</p> <p>Final orders may be served as follows:</p> <p>If the respondent is outside the</p>				
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	<p>3. After delivering the documents to the place of employment of the adverse party, a copy of the documents must be mailed to the adverse party by first-class mail to the place of employment of the adverse party in care of the employer.</p> <p>4. The adverse party shall be deemed to have been served 10 days after the date on which the documents are mailed to the adverse party.</p> <p>5. Upon completion of service pursuant to this section, the law enforcement agency or the person designated by the law enforcement agency who served the adverse party in the manner set forth in this section shall file with or mail to the clerk of the court proof of service in this manner.</p> <p>6. An employer is immune from civil liability for any act or omission with respect to accepting service of documents, delivering documents to the adverse party or contacting the adverse party and arranging for the adverse party to accept service of the documents personally pursuant to this section, if the employer acts in good faith with respect to accepting service of documents, delivering documents to the adverse party or contacting the adverse party and arranging for the adverse party to accept service of the documents personally.</p> <p><u>Nev. Rev. Stat. Ann. § 33.070</u> <u>Inclusion in order of requirement of arrest; verification of notice to adverse party.</u></p> <p>1. Every temporary or extended order must include a provision ordering any law enforcement officer to arrest an adverse party if the officer has probable cause to believe that the adverse party has violated any provision of the order. The law enforcement</p>	<p>United States, see N.R.C.P. 4.3(b).</p> <p>Generally, a person can be served by (1) personal service, (2) leaving a copy of the order at the respondent's dwelling or usual place of abode with a person of suitable age and discretion who currently lives there and is not the petitioner; or (3) delivering a copy of the summons and complaint to an agent authorized to receive service of process. Alternate service may also be made as described below.</p> <p>If the respondent is a minor, they can be served by delivering a copy of the order to a fiduciary or parent, and if neither can be found, then to an adult having the</p>				
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	<p>officer may make an arrest with or without a warrant and regardless of whether the violation occurs in the officer's presence.</p> <p>2. If a law enforcement officer cannot verify that the adverse party was served with a copy of the application and order, the officer shall:</p> <p>(a) Inform the adverse party of the specific terms and conditions of the order;</p> <p>(b) Inform the adverse party that the adverse party now has notice of the provisions of the order and that a violation of the order will result in the adverse party's arrest;</p> <p>(c) Inform the adverse party of the location of the court that issued the original order and the hours during which the adverse party may obtain a copy of the order; and</p> <p>(d) Inform the adverse party of the date and time set for a hearing on an application for an extended order, if any.</p> <p>3. Information concerning the terms and conditions of the order, the date and time of the notice provided to the adverse party and the name and identifying number of the officer who gave the notice must be provided in writing to the applicant and noted in the records of the law enforcement agency and the court.</p> <p><u>Nev. Rev. Stat. Ann. § 33.085(1)-(2)</u> <u>Order from another jurisdiction:</u> <u>Accorded full faith and credit under certain circumstances; effect of mutual orders; enforcement; effect of not registering order or including order in repository or database; immunity.</u></p> <p>1. Except as otherwise provided in subsection 2, an order for protection against domestic violence issued by the court of</p>	<p>care or control of the respondent or to a person of suitable age and discretion who the respondent lives with. If the respondent is at least 14, they must additionally be served themselves.</p> <p>If the respondent is incapacitated, they must be served by delivering a copy of the order to the respondent and one of the following: a guardian or similar fiduciary (if one has been appointed) or, if no fiduciary has been appointed, either (1) a person of suitable age and discretion with whom the respondent resides, (2) the facility the respondent lives in (if applicable), or (3) another person as provided by court order.</p>				
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	<p>another state, territory or Indian tribe within the United States, including, without limitation, any provisions in the order related to custody and support, is valid and must be accorded full faith and credit and enforced by the courts of this state as if it were issued by a court in this state, regardless of whether the order has been registered in this state, if the court in this state determines that:</p> <p>(a) The issuing court had jurisdiction over the parties and the subject matter under the laws of the State, territory or Indian tribe in which the order was issued; and</p> <p>(b) The adverse party was given reasonable notice and an opportunity to be heard before the order was issued or, in the case of an ex parte order, the adverse party was given reasonable notice and an opportunity to be heard within the time required by the laws of the issuing state, territory or tribe and, in any event, within a reasonable time after the order was issued.</p> <p>2. If the order for protection against domestic violence issued by the court of another state, territory or Indian tribe is a mutual order for protection against domestic violence and:</p> <p>(a) No counter or cross-petition or other pleading was filed by the adverse party; or</p> <p>(b) A counter or cross-petition or other pleading was filed and the court did not make a specific finding of domestic violence by both parties, the court shall refuse to enforce the order against the applicant and may determine</p>	<p>If the respondent's home address is unknown and personal service at their place of employment has failed at least twice, then a final order can be served by (1) leaving it at the place of employment with the manager of human resources or a similar person, and (2) mailing a copy to the respondent at that place of employment.</p>				
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	<p>whether to issue its own temporary or extended order.</p> <p><u>N.R.C.P. 4(c), (e) Summons and service</u></p> <p>(c) Service.</p> <p>(1) In General. Unless a defendant voluntarily appears, the plaintiff is responsible for:</p> <p> (A) obtaining a waiver of service under Rule 4.1, if applicable; or</p> <p> (B) having the summons and complaint served under Rule 4.2, 4.3, or 4.4 within the time allowed by Rule 4(e).</p> <p>(2) Service With a Copy of the Complaint. A summons must be served with a copy of the complaint. The plaintiff must furnish the necessary copies to the person who makes service.</p> <p>(3) By Whom. The summons and complaint may be served by the sheriff, or a deputy sheriff, of the county where the defendant is found or by any person who is at least 18 years old and not a party to the action.</p> <p>(4) Cumulative Service Methods. The methods of service provided in Rules 4.2, 4.3, and 4.4 are cumulative and may be utilized with, after, or independently of any other methods of service.</p> <p>(e) Time Limit for Service.</p> <p>(1) In General. The summons and complaint must be served upon a defendant no later than 120 days after the complaint is filed, unless the court grants an extension of time under this rule.</p> <p>(2) Dismissal. If service of the summons and complaint is not made upon a defendant before the 120-day service period — or any extension thereof — expires, the court must dismiss the action, without prejudice, as to that defendant upon motion</p>					
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	<p>or upon the court's own order to show cause.</p> <p>(3) Timely Motion to Extend Time. If a plaintiff files a motion for an extension of time before the 120-day service period--or any extension thereof--expires and shows that good cause exists for granting an extension of the service period, the court must extend the service period and set a reasonable date by which service should be made.</p> <p>(4) Failure to Make Timely Motion to Extend Time. If a plaintiff files a motion for an extension of time after the 120-day service period--or any extension thereof--expires, the court must first determine whether good cause exists for the plaintiffs failure to timely file the motion for an extension before the court considers whether good cause exists for granting an extension of the service period. If the plaintiff shows that good cause exists for the plaintiff's failure to timely file the motion and for granting an extension of the service period, the court must extend the time for service and set a reasonable date by which service should be made.</p> <p><u>N.R.C.P. 4.2(a), (b)</u> <u>Service within Nevada</u></p> <p>(a) Serving an Individual. Unless otherwise provided by these rules, service may be made on an individual:</p> <p>(1) by delivering a copy of the summons and complaint to the individual personally;</p> <p>(2) by leaving a copy of the summons and complaint at the individual's dwelling or usual place of abode with a person of suitable age and discretion who currently</p>					
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	<p>resides therein and is not an adverse party to the individual being served; or</p> <p>(3) by delivering a copy of the summons and complaint to an agent authorized by appointment or by law to receive service of process.</p> <p>(b) Serving Minors and Incapacitated Persons.</p> <p>(1) Minors. A minor must be served by delivering a copy of the summons and complaint:</p> <p>(A) if the minor is 14 years of age or older, to the minor; and</p> <p>(B) to one of the following persons:</p> <p>(i) if a guardian or similar fiduciary has been appointed for the minor, to the fiduciary under Rule 4.2(a), (c), or (d), as appropriate for the type of fiduciary;</p> <p>(ii) if a fiduciary has not been appointed, to the minor's parent under Rule 4.2(a); or</p> <p>(iii) if neither a fiduciary nor a parent can be found with reasonable diligence:</p> <p>(a) to an adult having the care or control of the minor under Rule 4.2(a); or</p> <p>(b) to a person of suitable age and discretion with whom the minor resides.</p> <p>(2) Incapacitated Persons. An incapacitated person must be served by delivering a copy of the summons and complaint:</p> <p>(A) to the incapacitated person; and</p> <p>(B) to one of the following persons:</p> <p>(i) if a guardian or similar fiduciary has been appointed for the incapacitated person, to the fiduciary under Rule 4.2(a), (c), or (d), as appropriate for the type of fiduciary; or</p>					
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	<p>(ii) if a fiduciary has not been appointed:</p> <p>(a) to a person of suitable age and discretion with whom the incapacitated person resides;</p> <p>(b) if the incapacitated person is living in a facility, to the facility under Rule 4.2, as appropriate for the type of facility; or</p> <p>(c) to another person as provided by court order.</p> <p><u>N.R.C.P. 4.3(a)(1)-(2), (b)(1)-(2)</u></p> <p><u>Service outside Nevada</u></p> <p>(a) Service Outside Nevada but Within the United States.</p> <p>(1) Serving Individuals. A party may serve process outside Nevada, but within the United States, in the same manner as provided in Rule 4.2 (a) for serving such a defendant within Nevada, or as prescribed by the law of the place where the defendant is served.</p> <p>(2) Serving Minors and Incapacitated Persons. A party may serve process outside Nevada, but within the United States, in the same manner as provided in Rule 4.2(b) for serving such a defendant within Nevada.</p> <p>(b) Service Outside the United States.</p> <p>(1) Serving an Individual. Unless otherwise provided by these rules, an individual--other than a minor, an incapacitated person, or a person whose waiver has been filed--may be served at a place outside of the United States:</p> <p>(A) by any internationally agreed means of service that is reasonably calculated to give notice, such as those authorized by the Hague Convention on the Service</p>					
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	<p>Abroad of Judicial and Extra judicial Documents;</p> <p>(B) if there is no internationally agreed means, or if an international agreement allows but does not specify other means, by a method that is reasonably calculated to give notice:</p> <p>(i) as prescribed by the foreign country's law for service in that country in an action in its courts of general jurisdiction;</p> <p>(ii) as the foreign authority directs in response to a letter rogatory or letter of request; or</p> <p>(iii) unless prohibited by the foreign country's law, by:</p> <p>(a) delivering a copy of the summons and of the complaint to the individual personally; or</p> <p>(b) using any form of mail that the clerk addresses and sends to the individual and that requires a signed receipt; or</p> <p>(C) by other means not prohibited by international agreement, as the court orders.</p> <p>(2) Serving a Minor or Incapacitated Person. A minor or an incapacitated person who is outside the United States must be served in the manner prescribed by Rule 4.3(b)(1)(B)(i) or (ii), or 4.3(b)(1)(C).</p> <p><u>N.R.C.P. 4.4.(d) Alternative Service Methods.</u>(d) <u>Additional Methods of Notice</u></p> <p>(1) In addition to any other service method, the court may order a plaintiff to make reasonable efforts to provide additional notice of the commencement of the action to a defendant using other methods of notice, including certified mail, telephone,</p>					
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	<p>voice message, email, social media, or any other method of communication.</p> <p>(2) Unless otherwise ordered, the plaintiff or the plaintiff's attorney may contact the defendant to provide notice of the action, except when the plaintiff or attorney would violate any statute, rule, temporary or extended protective order, or injunction by communicating with the defendant.</p> <p>(3) The plaintiff must provide proof of notice in the same manner as proof of service under Rule 4(d), or as otherwise directed by the court.</p>					
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<p>NEW HAMPSHIRE</p> <p>Protective Order</p> <p>N.H. Rev. Stat. Ann. § 173-B:3</p> <p>N.H. Rev. Stat. Ann. § 173-B:8</p> <p>N.H. Rev. Stat. Ann. § 173-B:13</p>	<p><u>N.H. Rev. Stat. Ann. § 173-B:3(I), (III) Commencement of Proceedings; Hearing</u></p> <p>I. Any person may seek relief pursuant to RSA 173-B:5 by filing a petition, in the county or district where the plaintiff or defendant resides, alleging abuse by the defendant. Any person filing a petition containing false allegations of abuse shall be subject to criminal penalties. Notice of the pendency of the action and of the facts alleged against the defendant shall be given to the defendant, either personally or as provided in paragraph III. The plaintiff shall be permitted to supplement or amend the petition only if the defendant is provided an opportunity prior to the hearing to respond to the supplemental or amended petition. All petitions filed under this section shall include the home and work telephone numbers of the defendant, if known. Notice of the whereabouts of the plaintiff shall not be revealed except by order of the court for good cause shown. Any answer by the defendant shall be filed with the court and a copy shall be provided to the plaintiff by the court.</p> <p>III. No filing fee or fee for service of process shall be charged for a petition or response under this section, and the plaintiff or defendant may proceed without legal counsel. Either a peace officer or the sheriff's department shall serve process under this section. Any proceeding under this chapter shall not preclude any other available civil or criminal remedy.</p> <p><u>N.H. Rev. Stat. Ann. §173-B:8(I-II). Notification.</u></p> <p>I. A copy of any order made under this chapter which prohibits any person from abusing another shall be promptly transmitted to the</p>	<p>Petitions must be served personally.</p>	<p>The court shall hold a hearing within 30 days of the filing of a petition under this section or within 10 days of service of process upon the defendant, whichever occurs later. N.H. Rev. Stat. Ann. §173-B:3(VII)(a).</p>	<p>Statute is silent.</p>	<p>Statute is silent.</p>	<p>Petitions can be served by a peace officer or a sheriff's department.</p>
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	<p>local law enforcement agency having jurisdiction to enforce such order.</p> <p>II. Temporary orders shall be promptly served on the defendant by a peace officer. Subsequent orders shall be sent to the defendant's last address of record. The defendant shall be responsible for informing the court of any changes of address. Law enforcement agencies shall establish procedures whereby a peace officer at the scene of an alleged violation of such an order may be informed of the existence and terms of such order.</p> <p><u>N.H. Rev. Stat. Ann. § 173-B:13(II)</u> <u>Orders Enforceable</u></p> <p>II. Any protective order issued by any other state, tribal, or territorial court related to domestic or family violence, including an ex parte order, shall be deemed valid if the issuing court had jurisdiction over the parties and matter under the law of the state, tribe, or territory, and the person against whom the order was made was given reasonable notice and opportunity to be heard. There shall be a presumption of validity where an order appears facially valid.</p>					
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<p>NEW JERSEY</p> <p>Domestic Violence Restraining Orders</p> <p>N.J. Stat. § 2C:25-29</p> <p>N.J. Court Rules, R. 5:4-1</p> <p>N.J. Court Rules, R. 4:4-3</p> <p>N.J. Court Rules, R. 4:4-4</p>	<p><u>N.J. Stat. § 2C:25-29(a)</u> <u>Hearing procedure; relief</u> a. Except as otherwise provided in this subsection, a hearing shall be held in the Family Part of the Chancery Division of the Superior Court within 10 days of the filing of a complaint pursuant to section 12 of P.L.1991, c.261 (C.2C:25-28) in the county where the ex parte restraints were ordered, unless good cause is shown for the hearing to be held elsewhere. A copy of the complaint shall be served on the defendant in conformity with the Rules of Court. . . .</p> <p><u>N.J. Court Rules, R. 5:4-1(a)</u> <u>Process</u> (a) Summons Generally. Except as otherwise provided by these rules with respect to a specific family action and except as otherwise provided by paragraph (b) of this rule, the summons in all civil family actions shall be in the form prescribed by R. 4:4-2 and shall be served in accordance with R. 4:4.</p> <p><u>N.J. Court Rules, R. 4:4-3(a)</u> <u>By Whom Served; Copies</u> (a) Summons and Complaint. Summonses shall be served, together with a copy of the complaint, by the sheriff, or by a person specially appointed by the court for that purpose, or by plaintiff's attorney or the attorney's agent, or by any other competent adult not having a direct interest in the litigation. If personal service cannot be effected after a reasonable and good faith attempt, which shall be described with specificity in the proof of service required by R. 4:4-7, service may be made by mailing a copy of the summons and complaint by registered or certified mail, return receipt requested, to</p>	<p>Personal service shall be first attempted.</p> <p>If personal service fails after a reasonable and good faith attempt, service may be made by registered or certified mail, return receipt requested, to the usual place of abode of the defendant or an authorized person or to defendant's place of business or employment.</p> <p>If the addressee refuses to claim or accept delivery of registered or certified mail, service may be made by ordinary mail addressed to the defendant's usual place of abode.</p> <p>The party making service may, at the party's option, make service simultaneously by registered or</p>	<p>Statute is silent.</p>	<p>Statute is silent.</p>	<p>Statute is silent.</p>	<p>If the respondent is within the state, then the complaint can be served by the sheriff, a person appointed by the court, the plaintiff's attorney or the attorney's agent, or any other competent adult not having a direct interest in the litigation. N.J. Court Rules, R. 5:4-1(a).</p> <p>If the respondent is in another state or the District of Columbia, then the complaint can be served in the same manner as if service were made within this State or by a public official having authority to serve civil process in the jurisdiction in which the service is made or by a person qualified to practice law in this State or in the jurisdiction in which service is made. N.J. Court Rules, R. 4:4-4(b)(1)(A).</p> <p>If the respondent is outside the United States, then the complaint can be served in accordance with any governing international treaty or convention to</p>
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	<p>the usual place of abode of the defendant or a person authorized by rule of law to accept service for the defendant or, with postal instructions to deliver to addressee only, to defendant's place of business or employment. If the addressee refuses to claim or accept delivery of registered or certified mail, service may be made by ordinary mail addressed to the defendant's usual place of abode. The party making service may, at the party's option, make service simultaneously by registered or certified mail and ordinary mail, and if the addressee refuses to claim or accept delivery of registered mail and if the ordinary mailing is not returned, the simultaneous mailing shall constitute effective service. Mail may be addressed to a post office box in lieu of a street address only as provided by R. 1:5-2. Return of service shall be made as provided by R. 4:4-7.</p> <p><u>N.J. Court Rules, R. 4:4-4(a)(1)-(3), (b), (c) Summons; Personal Service; In Personam Jurisdiction</u></p> <p>Service of summons, writs and complaints shall be made as follows:</p> <p>(a) Primary Method of Obtaining In Personam Jurisdiction. The primary method of obtaining in personam jurisdiction over a defendant in this State is by causing the summons and complaint to be personally served within this State pursuant to R. 4:4-3, as follows:</p> <p>(1) Upon a competent individual of the age of 14 or over, by delivering a copy of the summons and complaint to the individual personally, or by leaving a copy thereof at the individual's dwelling place or usual place of abode with a competent member of the household of the age of 14 or over then residing therein, or by delivering a copy</p>	<p>certified mail and ordinary mail, and if the addressee refuses to claim or accept delivery of registered mail and if the ordinary mailing is not returned, the simultaneous mailing shall constitute effective service.</p> <p>N.J. Court Rules, R. 4:4-3(a).</p> <p>If the above methods fail despite diligent effort and inquiry, then the complaint can be served by other methods authorized by law, or other methods ordered by the court.</p>				<p>the extent required, and if none, in the same manner as if service were made within the United States, except that service shall be made by a person specially appointed by the court for that purpose. N.J. Court Rules, R. 4:4-4(b)(1)(B).</p>
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	<p>thereof to a person authorized by appointment or by law to receive service of process on the individual's behalf;</p> <p>(2) Upon a minor under the age of 14, by delivering a copy of the summons and complaint personally to a parent or the guardian of the minor's person or to a competent adult member of the household with whom the minor resides;</p> <p>(3) Upon a mentally incapacitated person, by delivering a copy of the summons and complaint personally to the guardian of the person of the mentally incapacitated individual or to a competent adult member of the household with whom the mentally incapacitated person resides, or if the mentally incapacitated person resides in an institution, to the director or chief executive officer thereof;</p> <p>The foregoing subparagraphs (a)(1) through (a)(9) notwithstanding, in personam jurisdiction may be obtained by mail under the circumstances and in the manner provided by R. 4:4-3.</p> <p>(b) Obtaining In Personam Jurisdiction by Substituted or Constructive Service.</p> <p>(1) By Mail or Personal Service Outside the State. If it appears by affidavit satisfying the requirements of R. 4:4-5(b) that despite diligent effort and inquiry personal service cannot be made in accordance with paragraph (a) of this rule, then, consistent with due process of law, in personam jurisdiction may be obtained over any defendant as follows:</p> <p>(A) personal service in a state of the United States or the District of Columbia, in the same manner as if service were made within this State or by a public official having authority to serve civil</p>					
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	<p>process in the jurisdiction in which the service is made or by a person qualified to practice law in this State or in the jurisdiction in which service is made; or</p> <p>(B) personal service outside the territorial jurisdiction of the United States, in accordance with any governing international treaty or convention to the extent required thereby, and if none, in the same manner as if service were made within the United States, except that service shall be made by a person specially appointed by the court for that purpose; or</p> <p>(C) mailing a copy of the summons and complaint by registered or certified mail, return receipt requested, and, simultaneously, by ordinary mail to:</p> <p>(1) a competent individual of the age of 14 or over, addressed to the individual's dwelling house or usual place of abode;</p> <p>(2) a minor under the age of 14 or a mentally incapacitated person, addressed to the person or persons on whom service is authorized by paragraphs (a)(2) and (a)(3) of this rule;</p> <p>(3) a corporation, partnership or unincorporated association that is subject to suit under a recognized name, addressed to a registered agent for service, or to its principal place of business, or to its registered office. Mail may be addressed to a post office box in lieu of a street address only as provided by R. 1:5-2.</p> <p>(2) As Provided by Law. Any defendant may be served as provided by law.</p> <p>(3) By Court Order. If service can be made by any of the modes provided by this rule, no court order shall be</p>					
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	<p>necessary. If service cannot be made by any of the modes provided by this rule, any defendant may be served as provided by court order, consistent with due process of law.</p> <p>(c) Optional Mailed Service. Where personal service is required to be made pursuant to paragraph (a) of this rule, service, in lieu of personal service, may be made by registered, certified or ordinary mail, provided, however, that such service shall be effective for obtaining in personam jurisdiction only if the defendant answers the complaint or otherwise appears in response thereto, and provided further that default shall not be entered against a defendant who fails to answer or appear in response thereto. This prohibition against entry of default shall not apply to mailed service authorized by any other provision of these rules. If defendant does not answer or appear within 60 days following mailed service, service shall be made as is otherwise prescribed by this rule, and the time prescribed by R. 4:4-1 for issuance of the summons shall then begin to run anew.</p>					
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<p>NEW MEXICO</p> <p>Protection Order</p> <p>N.M. Stat. Ann. § 40-13-3.2</p> <p>N.M. Stat. Ann. § 40-13-4</p> <p>N.M. Stat. Ann. § 40-13-6</p> <p>N.M. Stat. Ann. § 40-13-7</p> <p>N.M. Stat. Ann. § 40-13A-3</p> <p>N.M. Stat. Ann. § 40-13A-4</p>	<p><u>N.M. Stat. Ann. § 40-13-3.2(B)</u> <u>Ex parte emergency orders of protection</u> B. A law enforcement officer who receives an emergency order of protection, whether in writing, by telephone or by facsimile transmission, from the court shall:</p> <p>(1) if necessary, pursuant to the judge's oral approval, write and sign the order on an approved form;</p> <p>(2) if possible, immediately serve a signed copy of the order on the restrained party and complete the appropriate affidavit of service;</p> <p>(3) immediately provide the protected party with a signed copy of the order; and</p> <p>(4) provide the original order to the court by the close of business on the next judicial day.</p> <p><u>N.M. Stat. Ann. § 40-13-4(A)</u> <u>Temporary order of protection; hearing; dismissal</u> A. Upon the filing of a petition for order of protection, the court shall:</p> <p>(1) immediately grant an ex parte temporary order of protection without bond if there is probable cause from the specific facts shown by the affidavit or by the petition to give the judge reason to believe that an act of domestic abuse has occurred;</p> <p>(2) cause the temporary order of protection together with notice of hearing to be served immediately on the alleged perpetrator of the domestic abuse; and</p> <p>(3) within ten days after the granting of the temporary order of protection, hold a hearing on the question of continuing the order; or</p> <p>(4) if an ex parte order is not granted, serve notice to appear upon the parties and hold a</p>	<p>All orders must be personally served.</p>	<p>Emergency and temporary orders must be served immediately. No specific time limit is set by statute.</p>	<p>Statute is silent.</p>	<p>Statute is silent.</p>	<p>Emergency and temporary orders may be served by law enforcement officers.</p>
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	<p>hearing on the petition for order of protection within seventy-two hours after the filing of the petition; provided if notice of hearing cannot be served within seventy-two hours, the temporary order of protection shall be automatically extended for ten days.</p> <p><u>N.M. Stat. Ann. § 40-13-6(A)</u> <u>Service of order; duration; penalty; remedies not exclusive</u> A. An order of protection granted under the Family Violence Protection Act [40-13-1 NMSA 1978] shall be filed with the clerk of the court, and a copy shall be sent by the clerk to the local law enforcement agency. The order shall be personally served upon the restrained party, unless the restrained party or the restrained party’s attorney was present at the time the order was issued. The order shall be filed and served without cost to the protected party.</p> <p><u>N.M. Stat. Ann. § 40-13-7(B)(4)</u> <u>Law enforcement officers; emergency assistance; limited liability; providing notification to victims when an alleged perpetrator is released from detention; statement in judgment and sentence document</u> B. A local law enforcement officer responding to the request for assistance shall be required to take whatever steps are reasonably necessary to protect the victim from further domestic abuse, including: (4) upon the request of the victim, assist in placing the victim in possession of the dwelling or premises or otherwise assist in execution, enforcement or service of an order of protection;</p>					
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	<p><u>N.M. Stat. Ann. § 40-13A-3(D)</u> <u>Judicial enforcement of a foreign protection order</u></p> <p>D. A foreign protection order is valid if it:</p> <p> (4) was issued after the respondent was given reasonable notice and had an opportunity to be heard before the tribunal issued the order or, in the case of an ex parte order, the respondent was given notice and has had or will have an opportunity to be heard within a reasonable time after the order was issued in a manner consistent with the due process rights of the respondent.</p> <p><u>N.M. Stat. Ann. § 40-13A-4(C)</u> <u>Nonjudicial enforcement of foreign protection order</u></p> <p>C. If a New Mexico law enforcement officer determines that an otherwise valid foreign protection order cannot be enforced because the respondent has not been notified or served with the order, the officer shall inform the respondent of the order, make a reasonable effort to serve the order upon the respondent and allow the respondent a reasonable opportunity to comply with the order before enforcing the order.</p>					
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<p>NEW YORK</p> <p>Order of Protection</p> <p>N.Y. Fam. Ct. Act § 826</p> <p>N.Y. Fam. Ct. Act § 154-e</p>	<p>N.Y. Fam. Ct. Act § 826 Service of summons</p> <p>(a) Unless the court issues a warrant pursuant to section eight hundred twenty-seven of this part, service of a summons and petition shall be made by delivery of a true copy thereof to the person summoned at least twenty-four hours before the time stated therein for appearance. If so requested by the respondent, the court shall not proceed with the hearing or proceeding earlier than three days after such service.</p> <p>(b) If after reasonable effort, personal service is not made, the court may at any stage in the proceedings make an order providing for substituted service in the manner provided for substituted service in civil process in courts of record.</p> <p>N.Y. Fam. Ct. Act § 154-e (1)(b) Orders of protection; filing and enforcement of out-of-state orders</p> <p>A valid order of protection or temporary order of protection issued by a court of competent jurisdiction in another state, territorial or tribal jurisdiction shall be accorded full faith and credit and enforced under article eight of this act as if it were issued by a court within the state for as long as the order remains in effect in the issuing jurisdiction in accordance with sections two thousand two hundred sixty-five and two thousand two hundred sixty-six of title eighteen of the United States Code.</p> <p>1. An order issued by a court of competent jurisdiction in another state, territorial or tribal jurisdiction shall be deemed valid if:</p> <p>b. the person against whom the order was issued had reasonable notice and an opportunity to be heard prior to issuance of</p>	<p>A reasonable effort must be made to personally serve a petition and summons to a hearing. If personal service can't be made after such an effort, the court may order alternate service.</p>	<p>3 days before the hearing</p>	<p>Statute is silent.</p>	<p>New York's statutes do not explicitly mention social media or e-mail as a service method, but in case law, New York courts have allowed service using those methods where personal service could not be effectuated. <u>See Baidoo v. Blood-Dzraku</u>, 48 Misc. 3d 309, 5 N.Y.S.3d 709 (Sup. Ct. New York County 2015) (where service of divorce papers through Facebook message was allowed); <u>Hollow v. Hollow</u>, 193 Misc.2d 691, 747 N.Y.S.2d 704, 2002 N.Y. Slip Op. 22646 (2002); <u>In re J.T.</u>, 53 Misc.3d 888, 37 N.Y.S.3d 846, 2016 N.Y. Slip Op. 26286 (2016).</p>	<p>Statute is silent.</p>
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	the order; provided, however, that if the order was a temporary order of protection issued in the absence of such person, that notice had been given and that an opportunity to be heard had been provided within a reasonable period of time after the issuance of the order; and					
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<p>NORTH CAROLINA</p> <p>Domestic Violence Protective Order</p> <p>N.C. Gen. Stat. § 50B-2</p> <p>N.C. Gen Stat. § 50B-4</p> <p>N.C. Gen. Stat. § 1A-1, R. 4.</p>	<p><u>N.C. Gen. Stat. § 50B-2(a)-(b), (c)(5), (7)</u></p> <p><u>Institution of civil action; motion for emergency relief; temporary orders; temporary custody</u></p> <p>(a) Any person residing in this State may seek relief under this Chapter by filing a civil action or by filing a motion in any existing action filed under Chapter 50 of the General Statutes alleging acts of domestic violence against himself or herself or a minor child who resides with or is in the custody of such person. Any aggrieved party entitled to relief under this Chapter may file a civil action and proceed pro se, without the assistance of legal counsel. The district court division of the General Court of Justice shall have original jurisdiction over actions instituted under this Chapter. Any action for a domestic violence protective order requires that a summons be issued and served. The summons issued pursuant to this Chapter shall require the defendant to answer within 10 days of the date of service. Attachments to the summons shall include the complaint, notice of hearing, any temporary or ex parte order that has been issued, and other papers through the appropriate law enforcement agency where the defendant is to be served. In compliance with the federal Violence Against Women Act, no court costs or attorneys' fees shall be assessed for the filing, issuance, registration, or service of a protective order or petition for a protective order or witness subpoena, except as provided in G.S. 1A-1, Rule 11.</p> <p>(b) Emergency Relief. A party may move the court for emergency relief if he or she believes there is a danger of serious and immediate injury to himself or herself or a minor child. A hearing on a motion for emergency relief, where no ex parte order is entered, shall be</p>	<p>Service through the appropriate law enforcement agency where the defendant is to be served.</p>	<p>Five days before the hearing</p>	<p>Statute is silent.</p>	<p>Statute is silent.</p>	<p>Emergency orders and temporary orders may be served by law enforcement officers.</p>
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<p>held after five days' notice of the hearing to the other party or after five days from the date of service of process on the other party, whichever occurs first, provided, however, that no hearing shall be required if the service of process is not completed on the other party. If the party is proceeding pro se and does not request an ex parte hearing, the clerk shall set a date for hearing and issue a notice of hearing within the time periods provided in this subsection, and shall effect service of the summons, complaint, notice, and other papers through the appropriate law enforcement agency where the defendant is to be served.</p> <p>(c) Ex Parte Orders. –</p> <p>(5) Upon the issuance of an ex parte order under this subsection, a hearing shall be held within 10 days from the date of issuance of the order or within seven days from the date of service of process on the other party, whichever occurs later. A continuance shall be limited to one extension of no more than 10 days unless all parties consent or good cause is shown. The hearing shall have priority on the court calendar.</p> <p>(7) Upon the issuance of an ex parte order under this subsection, if the party is proceeding pro se, the Clerk shall set a date for hearing and issue a notice of hearing within the time periods provided in this subsection, and shall effect service of the summons, complaint, notice, order and other papers through the appropriate law enforcement agency where the defendant is to be served.</p> <p>N.C. Gen. Stat. § 1A-1, R. 4. (Effective December 1, 2023) Process.</p>					
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<p>(a) Summons — Issuance; who may serve. — Upon the filing of the complaint, summons shall be issued forthwith, and in any event within five days. The complaint and summons shall be delivered to some proper person for service. In this State, such proper person shall be the sheriff of the county where service is to be made or some other person duly authorized by law to serve summons. Outside this State, such proper person shall be anyone who is not a party and is not less than 21 years of age or anyone duly authorized to serve summons by the law of the place where service is to be made. Upon request of the plaintiff separate or additional summons shall be issued against any defendants. A summons is issued when, after being filled out and dated, it is signed by the officer having authority to do so. The date the summons bears shall be prima facie evidence of the date of issue.</p> <p>(b) Summons — Contents. — The summons shall run in the name of the State and be dated and signed by the clerk, assistant clerk, or deputy clerk of the court in the county in which the action is commenced. It shall contain the title of the cause and the name of the court and county wherein the action has been commenced. It shall be directed to the defendant or defendants and shall notify each defendant to appear and answer within 30 days after its service upon him and further that if he fails so to appear, the plaintiff will apply to the court for the relief demanded in the complaint. It shall set forth the name and address of plaintiff’s attorney, or if there be none, the name and address of plaintiff. If a request for admission is served with the summons, the summons shall so state.</p> <p>(c) Summons — Return. — Personal service or</p>					
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<p>substituted personal service of summons as prescribed by Rules 4(j) and (j1) must be made within 60 days after the date of the issuance of summons. When a summons has been served upon every party named in the summons, it shall be returned immediately to the clerk who issued it, with notation thereon of its service. Failure to make service within the time allowed or failure to return a summons to the clerk after it has been served on every party named in the summons shall not invalidate the summons. If the summons is not served within the time allowed upon every party named in the summons, it shall be returned immediately upon the expiration of such time by the officer to the clerk of the court who issued it with notation thereon of its nonservice and the reasons therefor as to every such party not served, but failure to comply with this requirement shall not invalidate the summons.</p> <p>(d) Summons — Extension; endorsement, alias and pluries. — When any defendant in a civil action is not served within the time allowed for service, the action may be continued in existence as to such defendant by either of the following methods of extension:</p> <p>(1) The plaintiff may secure an endorsement upon the original summons for an extension of time within which to complete service of process. Return of the summons so endorsed shall be in the same manner as the original process. Such endorsement may be secured within 90 days after the issuance of summons or the date of the last prior endorsement, or</p> <p>(2) The plaintiff may sue out an alias or pluries summons returnable in the same manner as the original process. Such alias or pluries summons may be sued out at any time within</p>						
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<p>90 days after the date of issue of the last preceding summons in the chain of summonses or within 90 days of the last prior endorsement.</p> <p>Provided, in tax and assessment foreclosures under G.S. 47-108.25 and G.S. 105-374, the first endorsement may be made at any time within two years after the issuance of the original summons, and subsequent endorsements may thereafter be made as in other actions; or an alias or pluries summons may be sued out at any time within two years after the issuance of the original summons, and after the issuance of such alias or pluries summons, the chain of summonses may be kept up as in any other action.</p> <p>Provided, for service upon a defendant in a place not within the United States, the first endorsement may be made at any time within two years after the issuance of the original summons, and subsequent endorsements may thereafter be made at least once every two years; or an alias or pluries summons may be sued out at any time within two years after the issuance of the original summons, and after the issuance of such alias or pluries summons, the chain of summonses may be kept up as in any other action if sued out within two years of the last preceding summons in the chain of summonses or within two years of the last prior endorsement.</p> <p>Provided, further, the methods of extension may be used interchangeably in any case and regardless of the form of the preceding extension.</p> <p>(e) Summons — Discontinuance. — When there is neither endorsement by the clerk nor issuance of alias or pluries summons within the time specified in Rule 4(d), the action is discontinued as to any defendant not</p>						
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<p>theretofore served with summons within the time allowed. Thereafter, alias or pluries summons may issue, or an extension be endorsed by the clerk, but, as to such defendant, the action shall be deemed to have commenced on the date of such issuance or endorsement.</p> <p>(f) Summons — Date of multiple summonses. — If the plaintiff shall cause separate or additional summonses to be issued as provided in Rule 4(a), the date of issuance of such separate or additional summonses shall be considered the same as that of the original summons for purposes of endorsement or alias summons under Rule 4(d).</p> <p>(g) Summons — Docketing by clerk. — The clerk shall keep a record in which he shall note the day and hour of issuance of every summons, whether original, alias, pluries, or endorsement thereon. When the summons is returned, the clerk shall note on the record the date of the return and the fact as to service or non-service.</p> <p>(h) Summons — When proper officer not available. — If at any time there is not in a county a proper officer, capable of executing process, to whom summons or other process can be delivered for service, or if a proper officer refuses or neglects to execute such process, or if such officer is a party to or otherwise interested in the action or proceeding, the clerk of the issuing court, upon the facts being verified before him by written affidavit of the plaintiff or his agent or attorney, shall appoint some suitable person who, after he accepts such process for service, shall execute such process in the same manner, with like effect, and subject to the same liabilities, as if such person were a</p>						
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<p>proper officer regularly serving process in that county.</p> <p>(h1) Summons — When process returned unexecuted. — If a proper officer returns a summons or other process unexecuted, the plaintiff or his agent or attorney may cause service to be made by anyone who is not less than 21 years of age, who is not a party to the action, and who is not related by blood or marriage to a party to the action or to a person upon whom service is to be made. Except for claims severed by a magistrate pursuant to G.S. 7A-223(b1), this subsection shall not apply to executions pursuant to Article 28 of Chapter 1 or summary ejectment pursuant to Article 3 of Chapter 42 of the General Statutes.</p> <p>(i) Summons — Amendment. — At any time, before or after judgment, in its discretion and upon such terms as it deems just, the court may allow any process or proof of service thereof to be amended, unless it clearly appears that material prejudice would result to substantial rights of the party against whom the process issued.</p> <p>(j) Process — Manner of service to exercise personal jurisdiction. — In any action commenced in a court of this State having jurisdiction of the subject matter and grounds for personal jurisdiction as provided in G.S. 1-75.4, the manner of service of process within or without the State shall be as follows:</p> <p>(1) Natural Person. — Except as provided in subdivision (2) below, upon a natural person by one of the following:</p> <p>a. By delivering a copy of the summons and of the complaint to the natural person or by leaving copies thereof at the defendant's dwelling house or usual place of abode with some person of suitable age and discretion then residing therein.</p>						
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<p>b. By delivering a copy of the summons and of the complaint to an agent authorized by appointment or by law to be served or to accept service of process or by serving process upon such agent or the party in a manner specified by any statute.</p> <p>c. By mailing a copy of the summons and of the complaint, registered or certified mail, return receipt requested, addressed to the party to be served, and delivering to the addressee.</p> <p>d. By depositing with a designated delivery service authorized pursuant to 26 U.S.C. § 7502(f)(2) a copy of the summons and complaint, addressed to the party to be served, delivering to the addressee, and obtaining a delivery receipt. As used in this sub-subdivision, “delivery receipt” includes an electronic or facsimile receipt.</p> <p>e. By mailing a copy of the summons and of the complaint by signature confirmation as provided by the United States Postal Service, addressed to the party to be served, and delivering to the addressee.</p> <p>(2) Natural Person under Disability. — Upon a natural person under disability by serving process in any manner prescribed in this section (j) for service upon a natural person and, in addition, where required by paragraph a or b below, upon a person therein designated.</p> <p>a. Where the person under disability is a minor, process shall be served separately in any manner prescribed for service upon a natural person upon a parent or guardian having custody of the child, or if there be none, upon any other person having the care and control of the child. If there is no parent, guardian, or other person having care and control of the child when service is made upon</p>					
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	<p>the child, then service of process must also be made upon a guardian ad litem who has been appointed pursuant to Rule 17.</p> <p>b. If the plaintiff actually knows that a person under disability is under guardianship of any kind, process shall be served separately upon his guardian in any manner applicable and appropriate under this section (j). If the plaintiff does not actually know that a guardian has been appointed when service is made upon a person known to him to be incompetent to have charge of his affairs, then service of process must be made upon a guardian ad litem who has been appointed pursuant to Rule 17.</p> <p>***</p> <p><u>N.C. Gen. Stat. § 50B-4. Enforcement of orders.</u></p> <p>(c) A valid protective order entered pursuant to this Chapter shall be enforced by all North Carolina law enforcement agencies without further order of the court.</p> <p>(d) A valid protective order entered by the courts of another state or the courts of an Indian tribe shall be accorded full faith and credit by the courts of North Carolina whether or not the order has been registered and shall be enforced by the courts and the law enforcement agencies of North Carolina as if it were an order issued by a North Carolina court. In determining the validity of an out-of-state order for purposes of enforcement, a law enforcement officer may rely upon a copy of the protective order issued by another state or the courts of an Indian tribe that is provided to the officer and on the statement of a person protected by the order that the order remains in effect. Even though registration is not</p>					
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	<p>required, a copy of a protective order may be registered in North Carolina by filing with the clerk of superior court in any county a copy of the order and an affidavit by a person protected by the order that to the best of that person's knowledge the order is presently in effect as written. Notice of the registration shall not be given to the defendant. Upon registration of the order, the clerk shall promptly forward a copy to the sheriff of that county. Unless the issuing state has already entered the order, the sheriff shall provide for prompt entry of the order into the National Crime Information Center registry pursuant to G.S. 50B-3(d).</p> <p>(f) The term "valid protective order," as used in subsections (c) and (d) of this section, shall include an emergency or ex parte order entered under this Chapter.</p>					
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<p style="text-align: center;">NORTH DAKOTA</p> <p>Protection Order</p> <p>N.D. Cent. Code § 14-07.1-02</p> <p>N.D. Cent. Code § 14-07.1-03</p> <p>N.D. Cent. Code § 14-07.1-04</p> <p>N.D. Cent. Code § 14-07.4-02</p> <p>N.D. Cent. Code § 14-07.4-03</p>	<p><u>N.D. Cent. Code § 14-07.7-12 Service [Effective January 1, 2026]</u></p> <p><u>1. When a protection order is issued, extended, modified, or terminated under this chapter, the court shall transmit a copy of the order to the sheriff of the county in which the respondent resides for service on the respondent.</u></p> <p><u>2. If the respondent cannot be served, the order may be served on the respondent by publication under rule 4 of the north dakota rules of civil procedure.</u></p> <p><u>3. Service must be made on the respondent at least five days before the hearing. If service cannot be made or if additional time is required to complete service by publication, the court may set a new date for the hearing.</u></p> <p><u>4. No service fee may be charged to the petitioner.</u></p> <p><u>N.D. Cent. Code § 14-07.1-02(3) Domestic violence protection order.[Repealed effective January 1, 2026]</u></p> <p>3. Service must be made upon the respondent at least five days before the hearing. Service of the hearing notice, for a protection order under this section or for an ex parte temporary protection order under section 14 - 07.1 - 03, must be attempted by personal service before service by publication under rule 4 of the North Dakota Rules of Civil Procedure may be attempted. If service cannot be made, or if additional time is required to complete service by publication, the court may set a new date.</p>	<p>Statute is silent.</p> <p>A law enforcement officer must make a reasonable effort to serve the order upon the respondent.</p>	<p>Notice of a hearing on a final order must be served at least five days before the hearing.</p> <p>Notice of an ex parte temporary protection order under section 14 - 07.1 - 03, must be attempted by personal service before service by publication under rule 4 of the North Dakota Rules of Civil Procedure may be attempted.</p>	<p>Statute is silent.</p>	<p>Statute is silent.</p>	<p>Statute is mostly silent.</p> <p>Whenever an order is issued, the court orders the sheriff or other law enforcement officer to assist the petitioner with service.</p>
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	<p><u>N.D. Cent. Code § 14-07.1-03(4), (6)</u> <u>Temporary protection order — Copy to law enforcement agency. [Repealed effective January 1, 2026]</u></p> <p>4. A full hearing as provided by section 14-07.1-02 must be set for not later than fourteen days from the issuance of the temporary order, or at a later date if good cause is shown. The respondent must be served forthwith with a copy of the ex parte order along with a copy of the application and notice of the date set for the hearing.</p> <p>6. Fees for filing and service of process may not be assessed to the petitioner for any proceeding seeking relief under chapter 14-07.1.</p> <p><u>N.D. Cent. Code § 14-07.1-04</u> <u>Assistance of law enforcement officer in service or execution. [Repealed effective January 1, 2026]</u></p> <p>When an order is issued upon request of the applicant under section 14-07.1-02 or 14-07.1-03, the court shall order the sheriff or other appropriate law enforcement officer to accompany the applicant and assist in placing the applicant in possession of the dwelling or residence, or otherwise assist in execution or service of the protection order, which may include assistance in referral to a domestic violence shelter care facility.</p> <p><u>N.D. Cent. Code § 14-07.4-02(1), (3)(d)</u> <u>Judicial enforcement of order</u></p> <p>1. A tribunal of this state shall enforce the terms of a valid foreign protection order, including terms that provide relief that a tribunal of this state would lack power to provide but for this section. A tribunal of this state shall enforce a valid foreign protection</p>					
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<p>order issued by a tribunal, whether the order was obtained by independent action or in another proceeding, if it is an order issued in response to a complaint, petition, or motion filed by or on behalf of an individual seeking protection. A tribunal of this state may not enforce an order issued by a tribunal that does not recognize the standing of a protected individual to seek enforcement of the order.</p> <p>3. A protection order is valid if it:</p> <p>d. Was issued after the respondent was provided with reasonable notice and had an opportunity to be heard before the tribunal issued the order or, in the case of an order ex parte, the respondent was given notice and has had or will have an opportunity to be heard within a reasonable time after the issuing of the order, in a manner consistent with the rights of the respondent to due process.</p> <p><u>N.D. Cent. Code § 14-07.4-03(3)</u> <u>Nonjudicial enforcement of order</u></p> <p>3. If a law enforcement officer of this state determines that an otherwise valid foreign protection order cannot be enforced because the respondent has not been notified or served with the order, the officer shall inform the respondent of the order and make a reasonable effort to serve the order upon the respondent. After informing the respondent and serving the order, the officer shall allow the respondent a reasonable opportunity to comply with the order before enforcing the order.</p>						
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<p>NORTHERN MARIANA ISLANDS</p> <p>8 N. Mar. I. Code § 1915(b)</p> <p>8 N. Mar. I. Code § 1916(d)(2)</p> <p>7 N. Mar. I. Code § 1203</p>	<p>§ 1915. Emergency Order for Protection; Available Relief; Availability of Judge; Expiration of Order. (b) A police officer who receives an oral order for protection from the Superior Court shall: (1) Write and sign the order on the form required pursuant to Section 1912; (2) Serve a copy on the respondent; (3) Immediately provide the petitioner with a copy of the order; and (4) Provide the order to the court by the end of the next judicial day.</p> <p>§ 1916. Order for Protection; Modification of Orders; Relief Available Ex Parte; Relief Available After Hearing; Duties of the Court; Duration of Order. (d) The court shall: (2) Make reasonable efforts to ensure that the order for protection is understood by the petitioner, and the respondent, if present;</p> <p>§ 1203. Service and Execution of Process. Every official who is made responsible by law for the service or execution of process and every private person who accepts the responsibility for the service or execution of process shall serve or execute such process as prescribed by law within a reasonable time after the receipt of the process unless prevented from doing so by conditions beyond his or her control.</p>	<p>Statute is silent</p>	<p>A “reasonable time after the receipt of the process.” 7 N. Mar. I. Code § 1203.</p>	<p>Statute is silent.</p>	<p>Statute is silent.</p>	<p>Police officer</p>
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<p>OHIO</p> <p>Domestic Violence Protection Order</p> <p>Ohio Rev. Code Ann. § 3113.31</p> <p>Ohio Civ. R. 4.1</p> <p>Ohio Civ. R. 4.4</p>	<p><u>Ohio Rev. Code Ann. § 3113.31 (D)(2)(a), (F)(1) Definitions; jurisdiction; petition; hearing; protection orders; consent agreements</u></p> <p>(D)</p> <p>(2)(a) If the court, after an ex parte hearing, issues an order described in division (E)(1)(b) or (c) of this section, the court shall schedule a full hearing for a date that is within seven court days after the ex parte hearing. If any other type of protection order that is authorized under division (E) of this section is issued by the court after an ex parte hearing, the court shall schedule a full hearing for a date that is within ten court days after the ex parte hearing. The court shall give the respondent notice of, and an opportunity to be heard at, the full hearing. The court shall hold the full hearing on the date scheduled under this division unless the court grants a continuance of the hearing in accordance with this division. Under any of the following circumstances or for any of the following reasons, the court may grant a continuance of the full hearing to a reasonable time determined by the court:</p> <p>(i) Prior to the date scheduled for the full hearing under this division, the respondent has not been served with the petition filed pursuant to this section and notice of the full hearing.</p> <p>(ii) The parties consent to the continuance.</p> <p>(iii) The continuance is needed to allow a party to obtain counsel.</p> <p>(iv) The continuance is needed for other good cause.</p> <p>(b) An ex parte order issued under this section does not expire because of a</p>	<p>Statute is silent.</p>	<p>Any protection order must be delivered to the respondent on the same day that it is issued.</p>	<p>Statute is silent.</p>	<p>Statute is silent.</p>	<p>Sheriff of the county in which the party to be served resides or may be found</p>
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	<p>failure to serve notice of the full hearing upon the respondent before the date set for the full hearing under division (D)(2)(a) of this section or because the court grants a continuance under that division.</p> <p>(E)</p> <p>(3) (a) Any protection order issued or consent agreement approved under this section shall be valid until a date certain, but not later than five years from the date of its issuance or approval, or not later than the date a respondent who is less than eighteen years of age attains nineteen years of age, unless modified or terminated as provided in division (E)(8) of this section.</p> <p>(F)</p> <p>(1) A copy of any protection order, or consent agreement, that is issued, approved, modified, or terminated under this section shall be issued by the court to the petitioner, to the respondent, and to all law enforcement agencies that have jurisdiction to enforce the order or agreement. The court shall direct that a copy of an order be delivered to the respondent on the same day that the order is entered.</p> <p>Rule 4.1. Process: Methods of service All methods of service within this state, except service by publication as provided in Civ.R. 4.4(A), are described in this rule. Methods of out-of-state service and for service in a foreign country are described in Civ.R. 4.3 and 4.5. Provisions for waiver of service are described in Civ.R. 4.7.(A) Service by clerk.</p> <p>(1) Methods of service.</p> <p>(a) Service by United States certified or express mail. Evidenced by return receipt signed by any person, service of any process shall be by</p>					
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	<p>United States certified or express mail unless otherwise permitted by these rules. The clerk shall deliver a copy of the process and complaint or other document to be served to the United States Postal Service for mailing at the address set forth in the caption or at the address set forth in written instructions furnished to the clerk as certified or express mail return receipt requested, with instructions to the delivering postal employee to show to whom delivered, date of delivery, and address where delivered.</p> <p>(b) Service by commercial carrier service. Unless the serving party furnishes written instructions to the clerk that service be made pursuant to Civ.R. 4.1 (A)(1)(a), the clerk may make service of any process by a commercial carrier service utilizing any form of delivery requiring a signed receipt. The clerk shall deliver a copy of the process and complaint or other document to be served to a commercial carrier service for delivery at the address set forth in the caption or at the address set forth in written instructions furnished to the clerk, with instructions to the carrier to return a signed receipt showing to whom delivered, date of delivery, and address where delivered.</p> <p>(2) Docket entries; Return. The clerk shall forthwith enter on the appearance docket the fact of delivery to the United States Postal Service for mailing or the fact of delivery to a specified commercial carrier service for delivery, and make a similar entry when the return receipt is received. If the return shows failure of delivery, the clerk shall forthwith notify the attorney of record or, if there is no attorney of record, the party at whose instance process was issued and enter the fact and method of notification on the appearance docket. The clerk shall file the return receipt or returned envelope in the records of the action.</p> <p>(3) Costs. All postage and commercial carrier service fees shall be charged to costs. If the</p>					
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<p>parties to be served are numerous and the clerk determines there is insufficient security for costs, the clerk may require the party requesting service to advance an amount estimated by the clerk to be sufficient to pay the costs of delivery.</p> <p>(B) Personal service. When the plaintiff files a written request with the clerk for personal service, service of process shall be made by that method.</p> <p>1. Civil process server; general When process issued from the Supreme Court, a court of appeals, a court of common pleas, or a county court is to be served personally under this division, the clerk of the court shall deliver the process and sufficient copies of the process and complaint, or other document to be served, to the sheriff of the county in which the party to be served resides or may be found. When process issues from the municipal court, delivery shall be to the bailiff of the court for service on all defendants who reside or may be found within the county or counties in which that court has territorial jurisdiction and to the sheriff of any other county in this state for service upon a defendant who resides in or may be found in that other county. In the alternative, process issuing from any of these courts may be delivered by the clerk to a person designated by court order to serve civil process under division (E) of this rule.</p> <p>2. Civil process server; procedure</p> <p>a. The person serving process shall locate the person to be served and shall tender a copy of the process and accompanying documents to the person to be served. When the copy of the process has been served, the person serving process shall endorse that fact on the process and return it to the clerk, who shall make the appropriate entry on the appearance docket.</p> <p>b. When the person serving process is unable to serve a copy of the process within twenty-eight days, the person shall endorse that fact and the reasons therefor on the process and return the</p>					
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	<p>process and copies to the clerk who shall make the appropriate entry on the appearance docket. In the event of failure of service, the clerk shall follow the notification procedure set forth in division (A)(2) of this rule. Failure to make service within the twenty-eight-day period and failure to make proof of service do not affect the validity of the service.</p> <p>(C) Residence service. When the plaintiff files a written request with the clerk for residence service, service of process shall be made by that method.</p> <p>1. Civil process server; general When process is to be served under this division, deliver the process and sufficient copies of the process and complaint, or other document to be served, to the sheriff of the county in which the party to be served resides or may be found. When process issues from the municipal court, delivery shall be to the bailiff of the court for service on all defendants who reside or may be found within the county or counties in which that court has territorial jurisdiction and to the sheriff of any other county in this state for service upon a defendant who resides in or may be found in that county. In the alternative, process may be delivered by the clerk to a person designated by court order to serve civil process under division (E) of this rule.</p> <p>2. Civil process server; procedure</p> <p>a. The person serving process shall effect service by leaving a copy of the process and the complaint, or other document to be served, at the usual place of residence of the person to be served with some person of suitable age and discretion then residing therein. When the copy of the process has been served, the person serving process shall endorse that fact on the process and return it to the clerk, who shall make the appropriate entry on the appearance docket.</p> <p>b. When the person serving process is unable to serve a copy of the process within twenty-eight</p>					
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	<p>days, the person shall endorse that fact and the reasons therefor on the process, and return the process and copies to the clerk, who shall make the appropriate entry on the appearance docket. In the event of failure of service, the clerk shall follow the notification procedure set forth in division (A)(2) of this rule. Failure to make service within the twenty-eight-day period and failure to make proof of service do not affect the validity of service.</p> <p>D.</p> <p>To qualify as a civil process server for personal or residence service under divisions (B) or (C) of this rule, an applicant shall certify the applicant satisfies each of the following requirements:</p> <p>(1) Not less than eighteen years of age;</p> <p>(2) Not a party to the proceeding, related to a party to the proceeding, or having a financial interest in the outcome of the proceeding;</p> <p>(3) A United States citizen or a legal resident of the United States;</p> <p>(4) Hold a valid government-issued identification card, passport, or driver's license;</p> <p>(5) Not convicted in the last ten years of any felony, offense of violence, or offense involving dishonesty or false statement, and not currently under community control sanctions, probation, post-release control, or parole;</p> <p>(6) Not currently a respondent under any civil protection order;</p> <p>(7) Familiar with the required procedure for service of process;</p> <p>(8) Will conduct themselves in a professional manner.</p> <p>E. Order for process server.</p> <p>Upon application and certification by an applicant under oath or affirmation that the applicant satisfies the requirements of division (D) of this rule, the court may designate that person by court order to make personal or residence service of process under divisions (B) or (C) of this rule for a period up to one year. The</p>					
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<p>order shall provide that if the appointed person fails to satisfy the requirements set forth under division (D) of this rule during the period of appointment, the authority to serve process under the order shall cease. Continued appointment beyond one year shall require reapplication as set forth in this rule.</p> <p>Rule 4.4. Process: Service by Publication (A) Residence unknown. (1) Service by Publication in a Newspaper. Except in an action or proceeding governed by division (A)(2) of this rule, when service of process is required upon a party whose residence is unknown, service shall be made by publication in actions where such service is authorized by law. Before service by publication can be made, an affidavit of the party requesting service or that party's counsel shall be filed with the court. The affidavit shall aver that service of summons cannot be made because the residence of the party to be served is unknown to the affiant, all of the efforts made on behalf of the party to ascertain the residence of the party to be served, and that the residence of the party to be served cannot be ascertained with reasonable diligence. Upon the filing of the affidavit, the clerk shall cause service of notice to be made by publication in a newspaper of general circulation in the county in which the action or proceeding is filed. If no newspaper is published in that county, then publication shall be in a newspaper published in an adjoining county. The publication shall contain the name and address of the court, the case number, the name of the first party on each side, and the name and last known address, if any, of the person or persons whose residence is unknown. The publication also shall contain a summary statement of the object of the pleading or other document seeking relief against a party whose residence is unknown, a summary</p>						
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	<p>statement of the demand for relief, and shall notify the party to be served that such party is required to answer or respond either within twenty-eight days after the publication or at such other time after the publication that is set as the time to appear or within which to respond after service of such pleading or other document. The publication shall be published at least once a week for six successive weeks unless publication for a lesser number of weeks is specifically provided by law. Service of process shall be deemed complete at the date of the last publication.</p> <p>After the last publication, the publisher or its agent shall file with the court an affidavit showing the fact of publication together with a copy of the notice of publication. The affidavit and copy of the notice shall constitute proof of service of process.</p> <p>(2) Service by Publication by Posting and Mail. (a) Actions and Proceedings other than Civil Protection Order Proceedings. In divorce, annulment, or legal separation actions, and in actions pertaining to the care, custody, and control of children whose parents are not married, and in all post-decree proceedings: (i) if the residence of the party upon whom service is sought is unknown; and, (ii) if the matter is not governed by Civ.R. 65.1; and, (iii) if the party requesting service upon another party is proceeding with a poverty affidavit; service by publication shall be made by posting and mail. Before service by posting and mail can be made under this division (A)(2)(a), an affidavit of the party requesting service or that party's counsel shall be filed with the court. The affidavit shall contain the same averments required by division (A)(1) of this rule and, in addition, shall set forth the defendant's last known address. Upon the filing of the affidavit, the clerk shall cause service of notice to be made by posting in</p>					
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	<p>a conspicuous place in the courthouse or courthouses in which the general and domestic relations divisions of the court of common pleas for the county are located and in two additional public places in the county that have been designated by local rule for the posting of notices pursuant to this rule. Alternatively, the postings, except for protection orders issued pursuant to Civ.R. 65.1, under this division (A)(2)(a), may be made on the website of the clerk of courts, if available, in a section designated for such purpose. The notice shall contain the same information required by division (A)(1) of this rule to be contained in a newspaper publication. The notice shall be posted for six successive weeks.</p> <p>(b) Civil Protection Order Proceedings. In civil protection order proceedings where the party's residence upon whom service is sought is unknown, service may be made by posting and mail without the necessity of a poverty affidavit. Before service by posting and mail can be made under this division (A)(2)(b), an affidavit of the party requesting service or that party's counsel shall be filed with the court. The affidavit shall contain the same averments required by division (A)(1) of this rule and, in addition, shall set forth the last known address of the party to be served. Upon the filing of the affidavit, the clerk shall cause service of notice to be made by posting in a conspicuous place in the courthouse or courthouses within the county where Civ.R. 65.1 civil protection order proceedings may be filed and in two additional public places in the county that have been designated by local rule for the posting of notices pursuant to this rule. The postings under this division (A)(2)(b) shall not be made on the website of the clerk of courts. The notice shall contain the same information required by division (A)(1) of this rule to be contained in a newspaper publication. The notice shall be posted for six successive weeks.</p> <p>(c) Additional Requirement for Mailing. When</p>					
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<p>service by publication is sought by posting and mail under either division (A)(2)(a) or division (A)(2)(b) of this rule, the clerk shall also cause the documents for service to be mailed by United States ordinary mail, address correction requested, to the last known address of the party to be served. The clerk shall obtain a certificate of mailing from the United States Postal Service. If the clerk is notified of a corrected or forwarding address of the party to be served within the six-week period that notice is posted pursuant to division (A)(2)(a) or division (A)(2)(b) of this rule, the clerk shall cause the documents for service to be mailed to the corrected or forwarding address. The clerk shall note the name, address, and date of each mailing on the docket.</p> <p>(d) Docket Entry of Posting; Completion of Service. After the last week of posting under either division (A)(2)(a) or division (A)(2)(b) of this rule, the clerk shall note on the docket where and when notice was posted. Service shall be complete upon the entry of posting.</p> <p>(B) Residence known. If the residence of a party to be served is known, and the action is one in which service by publication is authorized by law, service of process shall be effected by a method other than by publication as provided by:</p> <p>(1) Civ.R. 4.1, if the party to be served is a resident of this state,</p> <p>(2) Civ.R. 4.3 (B) if the party to be served is not a resident of this state, or</p> <p>(3) Civ.R. 4.5, in the alternative, if service on the party to be served is to be effected in a foreign country.</p> <p>If service of process cannot be effected under the provisions of this subdivision or Civ.R. 4.6 (C) or Civ.R. 4.6 (D), service of process shall proceed by</p>					
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<p>OKLAHOMA</p> <p>Domestic Violence Protection Order</p> <p>Okla. Stat. tit. 22, § 60.4</p> <p>Okla. Stat. tit. 22, § 460</p> <p>Okla. Stat. tit. 22, § 175</p>	<p><u>Okla. Stat. tit. 22, § 60.4(A), (F)</u> <u>Hearing—Service of Process—Emergency Orders—Protective Orders—Period of Relief—Title to Real Property</u> A.</p> <p>1. A copy of a petition for a protective order, any notice of hearing and a copy of any emergency temporary order or emergency ex parte order issued by the court shall be served upon the defendant in the same manner as a bench warrant. In addition, if the service is to be in another county, the court clerk may issue service to the sheriff by facsimile or other electronic transmission for service by the sheriff and receive the return of service from the sheriff in the same manner. Any fee for service of a petition for protective order, notice of hearing, and emergency ex parte order shall only be charged pursuant to subsection C of Section 60.2 of this title and, if charged, shall be the same as the sheriff's service fee plus mileage expenses.</p> <p>2. Emergency temporary orders, emergency ex parte orders and notice of hearings shall be given priority for service and can be served twenty-four (24) hours a day when the location of the defendant is known, including service to the county jail if the defendant is currently in custody. When service cannot be made upon the defendant by the sheriff, the sheriff may contact another law enforcement officer or a private investigator or private process server to serve the defendant.</p> <p>3. An emergency temporary order, emergency ex parte order, a petition for protective order, and a notice of hearing shall have statewide validity and may be transferred to any law enforcement</p>	<p>Statute implies that all orders and notice of protection order hearings are served personally Okla. Stat. tit. 22, § 175.</p> <p>If the respondent is a minor who is ordered removed from the victim's residence, the notice shall be taken to the respondent's caretaker.</p>	<p>Emergency temporary orders, emergency ex parte orders and notice of hearings can be served twenty-four hours a day when the location of the defendant is known.</p>	<p>Statute is silent.</p>	<p>Statute is silent</p>	<p>Emergency ex parte orders can be served by the sheriff. If the sheriff is unable to serve the order, they may contact another law enforcement officer, private investigator, or private process server. The same rule applies to service of emergency temporary orders and notice of hearings.</p>
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	<p>jurisdiction to effect service upon the defendant. The sheriff may transmit the document by electronic means.</p> <p>4. The return of service shall be submitted to the sheriff's office or court clerk in the court where the petition, notice of hearing or order was issued.</p> <p>5. When the defendant is a minor child who is ordered removed from the residence of the victim, in addition to those documents served upon the defendant, a copy of the petition, notice of hearing and a copy of any temporary order or ex parte order issued by the court shall be delivered with the child to the caretaker of the place where such child is taken pursuant to Section 2-2-101 of Title 10A of the Oklahoma Statutes.</p> <p>F. When necessary to protect the victim and when authorized by the court, protective orders granted pursuant to the provisions of this section may be served upon the defendant by a peace officer, sheriff, constable, or policeman or other officer whose duty it is to preserve the peace, as defined by Section 99 of Title 21 of the Oklahoma Statutes.</p> <p><u>Okla. Stat. tit. 22, § 460</u> <u>Service of Bench Warrant</u> The bench warrant may be served in any county in the same manner as a warrant of arrest, except that when served in another county it need not be endorsed by a magistrate of that county.</p> <p><u>Okla. Stat. tit. 22, § 175</u> <u>Service of Warrants</u> All warrants, except those issued for violation of city ordinances, may be served in any county in the state; and may be served by any</p>					
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	peace officer to whom they may be directed or delivered.					
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<p>OREGON</p> <p>Restraining Order</p> <p>Or. Rev. Stat. Ann. § 30.866(2)</p> <p>Or. Rev. Stat. Ann. § 107.718</p> <p>Or. Rev. Stat. Ann. § 107.723</p> <p>Or. Rev. Stat. Ann. § 107.730</p> <p>ORCP 7</p> <p>ORCP 9</p> <p>Or. Rev. Stat. Ann. § 24.190</p>	<p><u>Or. Rev. Stat. Ann. § 30.866</u> <u>Action for issuance or violation of stalking protective order; attorney fees.</u> (2) At the time the petition is filed, the court, upon a finding of probable cause based on the allegations in the petition, shall enter a temporary court's stalking protective order that may include, but is not limited to, all contact listed in ORS 163.730. The petition and the temporary order shall be served upon the respondent with an order requiring the respondent to personally appear before the court to show cause why the temporary order should not be continued for an indefinite period.</p> <p><u>Or. Rev. Stat. Ann. § 107.718(8), (9), (12) Restraining order; service of order; request for hearing.</u>/Or. Rev. Stat. Ann. § 107.718(8), (9), (12) Restraining order; service of order; request for hearing.</p> <p>(8) If the court orders relief: (a) The clerk of the court shall provide without charge the number of certified true copies of the petition and order necessary to provide the petitioner with one copy and to effect service and shall have a true copy of the petition and order delivered to the county sheriff for service upon the respondent, unless the court finds that further service is unnecessary because the respondent appeared in person before the court. In addition and upon request by the petitioner, the clerk shall provide the petitioner, without charge, two exemplified copies of the petition and order. (b) The county sheriff shall serve the respondent personally unless the petitioner elects to have the respondent served</p>	<p>Orders can be served personally, or by the methods allowed under ORCP 7 or 9:</p> <p>Leaving a copy at the respondent's dwelling or usual place of abode with someone 14 or older who lives there, and also sending a copy to that address by first class mail</p> <p>Leaving a copy at the respondent's office during normal working hours with the person who appears to be in charge, and also sending a copy by first class mail to the respondent's dwelling, usual place of abode, office, or other location most reasonably calculated to notify the respondent of the order.</p> <p>Email to the respondent or their attorney. If the</p>	<p>If the sheriff can't serve an order within 10 days, they will notify the petitioner. If the petitioner doesn't respond within 10 days, the sheriff will hold the petition for future service.</p>	<p>Statute is silent.</p>	<p>Service by electronic means is allowed for documents served after the original summons by email as provided by ORCP 9(G) or by electronic service as provided by ORCP 9(H).</p>	<p>Orders are normally served by the county sheriff unless the petitioner chooses a private process server or the order is served by another law enforcement officer responding to the scene of a domestic disturbance.</p> <p>A summons may be served by any competent adult who is a resident of Oregon or the state where service is made and is not a party or an officer, director, employee, or attorney.</p>
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	<p>personally by a private party or by a peace officer who is called to the scene of a domestic disturbance at which the respondent is present, and who is able to obtain a copy of the order within a reasonable amount of time. Proof of service shall be made in accordance with ORS 107.720. When the order does not contain the respondent's date of birth and service is effected by the sheriff or other peace officer, the sheriff or officer shall verify the respondent's date of birth with the respondent and shall record that date on the order or proof of service entered into the Law Enforcement Data System under ORS 107.720.</p> <p>(c) No filing fee, service fee or hearing fee shall be charged for proceedings seeking only the relief provided under ORS 107.700 to 107.735.</p> <p>(9) If the county sheriff:</p> <p>(a) Determines that the order and petition are incomplete, the sheriff shall return the order and petition to the clerk of the court. The clerk of the court shall notify the petitioner, at the address provided by the petitioner, of the error or omission.</p> <p>(b) After accepting the order and petition, cannot complete service within 10 days, the sheriff shall notify the petitioner, at the address provided by the petitioner, that the documents have not been served. If the petitioner does not respond within 10 days, the sheriff shall hold the order and petition for future service and file a return to the clerk of the court showing that service was not completed.</p> <p>(12) Service of process or other legal documents upon the petitioner is not a violation of this section if the petitioner is</p>	<p>respondent has consented to service by email, then service is complete when the email is sent. If the respondent has not consented to service by email, then service is only complete when the respondent confirms receipt of the email.</p>				
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	<p>served as provided in ORCP 7 or 9.</p> <p><u>Or. Rev. Stat. Ann. § 107.723(1)</u> <u>Service of restraining order; transmission by electronic communication device</u> (1) A sheriff may serve a restraining order issued under ORS 107.700 to 107.735 in the county in which the sheriff was elected and in any county that is adjacent to the county in which the sheriff was elected.</p> <p><u>Or. Rev. Stat. Ann. § 107.730(2), (3), (6)</u> <u>Modification of order entered under ORS 107.700 to 107.735; service; attorney fees</u> (2) The clerk of the court shall provide without charge the number of certified true copies of the request for modification of the order and notice of hearing necessary to effect service and, at the election of the party requesting the modification, shall have a true copy of the request and notice delivered to the county sheriff for service upon the other party. (3) The county sheriff shall personally serve the other party with a request under subsection (1)(a) of this section, unless the party requesting the modification under subsection (1)(a) of this section elects to have the other party personally served by a private party or unless otherwise ordered by the court. (6) (a) The county sheriff shall serve a copy of an order of modification: (A) Entered under subsection (1)(a) of this section by personal service on the nonrequesting party. (B) Entered under subsection (1)(b) of this section by mailing a copy of the order to the nonrequesting party by first class mail.</p>					
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	<p>(b) If the order of modification recites that the respondent appeared in person before the court, the necessity for service of the order and proof of service is waived.</p> <p>ORCP 7(D)(1)-(2), (3)(a)(i)-(iii)</p> <p>D. MANNER OF SERVICE</p> <p>D.(1) Notice required. Summons shall be served, either within or without this state, in any manner reasonably calculated, under all the circumstances, to apprise the defendant of the existence and pendency of the action and to afford a reasonable opportunity to appear and defend. Summons may be served in a manner specified in this rule or by any other rule or statute on the defendant or on an agent authorized by appointment or law to accept service of summons for the defendant. Service may be made, subject to the restrictions and requirements of this rule, by the following methods: personal service of true copies of the summons and the complaint on defendant or an agent of defendant authorized to receive process; substituted service by leaving true copies of the summons and the complaint at a person's dwelling house or usual place of abode; office service by leaving true copies of the summons and the complaint with a person who is apparently in charge of an office; service by mail; or service by publication.</p> <p>D.(2) Service methods.</p> <p>D.(2)(a) Personal service. Personal service may be made by delivery of a true copy of the summons and a true copy of the complaint to the person to be served.</p> <p>D.(2)(b) Substituted service. Substituted service may be made by</p>					
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	<p>delivering true copies of the summons and the complaint at the dwelling house or usual place of abode of the person to be served to any person 14 years of age or older residing in the dwelling house or usual place of abode of the person to be served. Where substituted service is used, the plaintiff, as soon as reasonably possible, shall cause to be mailed by first class mail true copies of the summons and the complaint to the defendant at defendant's dwelling house or usual place of abode, together with a statement of the date, time, and place at which substituted service was made. For the purpose of computing any period of time prescribed or allowed by these rules or by statute, substituted service shall be complete on the mailing.</p> <p>D.(2)(c) Office service. If the person to be served maintains an office for the conduct of business, office service may be made by leaving true copies of the summons and the complaint at that office during normal working hours with the person who is apparently in charge. Where office service is used, the plaintiff, as soon as reasonably possible, shall cause to be mailed by first class mail true copies of the summons and the complaint to the defendant at defendant's dwelling house or usual place of abode or defendant's place of business or any other place under the circumstances that is most reasonably calculated to apprise the defendant of the existence and pendency of the action, together with a statement of the date, time, and place at which office service was made. For the purpose of computing any period of time</p>					
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	<p>prescribed or allowed by these rules or by statute, office service shall be complete on the mailing.</p> <p>D.(2)(d) Service by mail.</p> <p>D.(2)(d)(i) Generally. When service by mail is required or allowed by this rule or by statute, except as otherwise permitted, service by mail shall be made by mailing true copies of the summons and the complaint to the defendant by first class mail and by any of the following: certified, registered, or express mail with return receipt requested. For purposes of this paragraph, "first class mail" does not include certified, registered, or express mail, return receipt requested, or any other form of mail that may delay or hinder actual delivery of mail to the addressee.</p> <p>D.(2)(d)(ii) Calculation of time. For the purpose of computing any period of time provided by these rules or by statute, service by mail, except as otherwise provided, shall be complete on the day the defendant, or other person authorized by appointment or law, signs a receipt for the mailing, or 3 days after the mailing if mailed to an address within the state, or 7 days after the mailing if mailed to an address outside the state, whichever first occurs.</p> <p>D.(3) Particular defendants. Service may be made upon specified defendants as follows:</p> <p>D.(3)(a) Individuals.</p> <p>D.(3)(a)(i) Generally. On an individual defendant, by personal delivery of true copies of the summons and the</p>					
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	<p>complaint to the defendant or other person authorized by appointment or law to receive service of summons on behalf of the defendant, by substituted service, or by office service. Service may also be made on an individual defendant or other person authorized to receive service to whom neither subparagraph D(3)(a)(ii) nor D(3)(a)(iii) of this rule applies by a mailing made in accordance with paragraph D(2)(d) of this rule provided the defendant or other person authorized to receive service signs a receipt for the certified, registered, or express mailing, in which case service shall be complete on the date on which the defendant signs a receipt for the mailing.</p> <p>D.(3)(a)(ii) Minors. On a minor under 14 years of age, by service in the manner specified in subparagraph D(3)(a)(i) of this rule on the minor; and additionally on the minor's father, mother, conservator of the minor's estate, or guardian, or, if there be none, then on any person having the care or control of the minor, or with whom the minor resides, or in whose service the minor is employed, or on a guardian ad litem appointed pursuant to Rule 27 B.</p> <p>D.(3)(a)(iii) Incapacitated persons. On a person who is incapacitated or is financially incapable, as both terms are defined by ORS 125.005, by service in the manner specified in subparagraph D(3)(a)(i) of this rule on the person and, also, on the conservator of the person's estate or guardian or, if there be none, on a guardian ad litem appointed pursuant to Rule 27 B.</p>					
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<p><u>ORCP 9(B) Service and Filing of Pleadings and Other Documents</u></p> <p>B. SERVICE; HOW MADE Except as otherwise provided in Rule 7 or Rule 8, whenever under these rules service is required or permitted to be made on a party, and that party is represented by an attorney, the service shall be made on the attorney unless otherwise ordered by the court. Service on the attorney or on a party shall be made by delivering a copy to that attorney or party; by mailing it to the attorney's or party's last known address; by email as provided in section G of this rule; by electronic service as provided in section H of this rule; or, if the party is represented by an attorney, by facsimile communication as provided in section F of this rule. Delivery of a copy within this rule means: handing it to the person to be served; or leaving it at the person's office with the person who is apparently in charge; or, if there is no one in charge, leaving the copy in a conspicuous place therein; or, if the office is closed or the person to be served has no office, leaving the copy at the person's dwelling house or usual place of abode with some person 14 years of age or older then residing therein. A party who has appeared without providing an appropriate address for service may be served by filing the pleading or other document with the court. Service by mail is complete on mailing. Service of any notice or other document to bring a party into contempt may be only on that party personally.</p> <p><u>Or. Rev. Stat. Ann. § 24.190 (2)</u></p> <p><u>Foreign restraining orders</u></p> <p>(2)</p> <p>(b) A foreign restraining order is not</p>						
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	<p>enforceable as an Oregon order if:</p> <p>(A) The person restrained by the order shows that:</p> <p> (i) The court that issued the order lacked jurisdiction over the subject matter or lacked personal jurisdiction over the person restrained by the order; or</p> <p> (ii) The person restrained by the order was not given reasonable notice and an opportunity to be heard under the law of the jurisdiction in which the order was issued; or</p> <p>(B) The foreign restraining order was issued against a person who had petitioned for a restraining order unless:</p> <p> (i) The person protected by the foreign restraining order filed a separate petition seeking the restraining order; and</p> <p> (ii) The court issuing the foreign restraining order made specific findings that the person was entitled to the order.</p> <p>(c) Except as otherwise expressly provided in the order, issues of nonenforceability described in paragraph (b) of this subsection are affirmative defenses in an action seeking enforcement of the order.</p>					
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<p>PENNSYLVANIA</p> <p>Protection from Abuse</p> <p>23 Pa. Cons. Stat. Ann. § 6106</p> <p>23 Pa. Cons. Stat. Ann. § 6109</p> <p>23 Pa. Cons. Stat. Ann. § 6117</p> <p>Pa. R.C.P. No. 1901.4</p> <p>Pa. R.C.P. No. 1930.4</p> <p>Pa. R.C.P. No. 440</p>	<p><u>23 Pa. Cons. Stat. Ann. § 6106(b), (e)-(g.1) Commencement of proceedings.</u></p> <p>(b) Plaintiff fees not permitted. — No plaintiff seeking relief under this chapter shall be charged any fees or costs associated with the filing, issuance, registration or service of a petition, motion, complaint, order or any other filing. Prohibited fees or costs shall include, but are not limited to, those associated with modifying, withdrawing, dismissing or certifying copies of a petition, motion, complaint, order or any other filing, as well as any judicial surcharge or computer system fee. No plaintiff seeking relief under this chapter shall be charged any fees or costs associated with filing a motion for reconsideration or an appeal from any order or action taken pursuant to this chapter. Nothing in this subsection is intended to expand or diminish the court's authority to enter an order pursuant to Pa.R.C.P. No. 1023.1 (relating to Scope. Signing of Documents. Representations to the Court. Violation).</p> <p>(e) Court to adopt means of service. — The court shall adopt a means of prompt and effective service in those instances where the plaintiff avers that service cannot be safely effected by an adult individual other than a law enforcement officer or where the court so orders.</p> <p>(f) Service by sheriff. — If the court so orders, the sheriff or other designated agency or individual shall serve the petition and order.</p> <p>(g) Service of petition and orders. — The petition and orders shall be served upon the defendant, and orders shall be served upon the police departments and sheriff with appropriate jurisdiction to enforce the orders. Orders shall be promptly served on the police</p>	<p>Petitions and temporary orders can be served by:</p> <p>Personally handing a copy to the defendant; Going to the defendant's home and personally handing a copy to an adult member of the defendant's family who lives there; Going to the defendant's home and handing a copy to the clerk or manager of the building where the defendant lives; Personally handing a copy to the defendant's agent or other person currently in charge of the defendant's workplace; or In a manner ordered by the court.</p> <p>Statute is silent on service of final orders.</p>	<p>If the defendant is within Pennsylvania, then petitions and temporary orders must be served within 30 days of their initial filing.</p> <p>If the defendant is not in Pennsylvania, then petitions and temporary orders must be served within 90 days of their initial filing.</p> <p>Statute is silent on service of final orders.</p>	<p>Statute is silent.</p>	<p>If a sheriff or competent adult cannot complete personal service within 48 hours after a petition is filed, the court may authorize "alternative service" by special order pursuant to Pa. R.C.P. No. 1930.4(a)(3).</p>	<p>Petitions and temporary orders can be served by a sheriff or other competent adult.</p> <p>23 Pa. Cons. Stat. Ann. § 6106(f)-(g) addresses service of "orders" by sheriffs or other designated individuals, but it is ambiguous whether that refers to all orders or just temporary orders. The section is titled "commencement of proceedings."</p>
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<p>and sheriff. Failure to serve shall not stay the effect of a valid order.</p> <p>(g.1) Service of original process of a foreign protection order. — No plaintiff or petitioner shall be charged any costs or fees associated with the service of original process of a foreign protection order. Costs or fees associated with the service of original process of a foreign protection order may be assessed against the defendant.</p> <p><u>23 Pa. Cons. Stat. Ann. § 6109(a)</u> <u>Service of orders</u></p> <p>(a) Issuance. — A copy of an order under this chapter shall be issued to the plaintiff, the defendant and the police department with appropriate jurisdiction to enforce the order or agreement in accordance with the provisions of this chapter or as ordered by the court or hearing officer.</p> <p><u>23 Pa. Cons. Stat. Ann. § 6117(a)</u> <u>Procedure and other remedies.</u></p> <p>(a) General rule. — Unless otherwise indicated in this chapter, a proceeding under this chapter shall be in accordance with applicable general rules and shall be in addition to any other available civil or criminal remedies. The plaintiff and the defendant may seek modification of an order issued under section 6108 (relating to relief) at any time during the pendency of an order. Except as otherwise indicated in this chapter, modification may be ordered after the filing of a petition for modification, service of the petition and a hearing on the petition.</p> <p><u>Pa. R.C.P. No. 1901.4</u> <u>Service and Registration of Order</u></p> <p>(a) Service of the petition and temporary</p>					
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<p>order shall be in accordance with Rule 1930.4.</p> <p>(b) An Affidavit of Service substantially in the form set forth in Rule 1905(d) shall be filed with the prothonotary.</p> <p>(c) Upon the filing of a protection order with the prothonotary, the prothonotary shall transmit a copy of the order to the State Police PFA Registry in the manner prescribed by the Pennsylvania State Police.</p> <p><i>Note:</i> This provision also applies to an order denying a plaintiff's request for a final protection order</p> <p>(d) No fee shall be charged to the plaintiff or petitioner for service of any protection from abuse order or pleading or for the registration, filing or service of any foreign protection order.</p> <p><u>Pa. R.C.P. No. 1930.4</u> <u>Service of Original Process in Domestic Relations Matters</u></p> <p>(a) Personal Service.</p> <p>(1) <i>Persons Who May Serve.</i> A sheriff or competent adult, as defined in Pa.R.Civ.P. 76, may effectuate personal service of original process in domestic relations matters, including Protection of Victims of Sexual Violence or Intimidation matters.</p> <p>(2) <i>Manner of Service.</i></p> <p>(i) A sheriff or competent adult may serve original process:</p> <p>(A) by handing a copy of the original process to the defendant;</p> <p>(B) at the defendant's residence by handing a copy of the original process to:</p> <p>(I) an adult member of the family with whom the defendant resides; but if an adult family member is unavailable, then to an adult in</p>					
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<p>charge of the residence; or (II) the clerk or manager of the hotel, inn, apartment house, boarding house, or other place of lodging; or (C) at the defendant's office or usual place of business by handing a copy of the original process to the defendant's agent or the person for the time being in charge; or (ii) pursuant to special order of court. (3) Service in Protection From Abuse and Protection of Victims of Sexual Violence or Intimidation Matters. (i) If the sheriff or competent adult cannot complete personal service within 48 hours after a Protection From Abuse or a Protection of Victims of Sexual Violence or Intimidation petition is filed, the court may authorize alternative service by special order as set forth in subdivision (a)(2)(ii). (ii) Alternative service may include, but is not limited to, service by mail pursuant to subdivision (b) or service by commercial carrier pursuant to subdivision (c). (b) Service by Mail. (1) In domestic relations matters, except Protection from Abuse and Protection of Victims of Sexual Violence or Intimidation matters, a party may serve the original process, a notice or order to appear, if required, and other orders or documents, as necessary, by United States Postal Service (USPS) first class regular and certified mail to the defendant's last known address. (i) The party serving the original process by mail shall: (A) restrict delivery of the certified mail to the</p>						
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<p>addressee only; and (B) request a return receipt, which may be an electronic return receipt. (ii) Completed Service by Mail. Service of original process is complete when: (A) the return receipt bears the defendant's purported signature indicating receipt of the certified mail; (B) the return receipt acknowledges delivery of the certified mail to the defendant consistent with USPS policy and the first class regular mail is not returned within 15 days of mailing; or (C) USPS returns the certified mail indicating the defendant refused delivery, but the first class regular mail is not returned within 15 days of mailing. (iii) Incomplete Service by Mail. (A) Service of original process is incomplete when: (I) USPS returns the certified mail with a notation indicating that the mail was unclaimed by the defendant; or (II) is otherwise inconsistent with subdivision (b)(1)(ii). (B) If service by mail is incomplete, the party attempting service shall utilize another method pursuant to these rules to effectuate service. (2) <i>Protection from Abuse and Protection of Victims of Sexual Violence or Intimidation Matters.</i> A party may serve original process by mail, if authorized by the court under subdivision (a)(2)(ii).</p>					
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	<p>(c) Service by Commercial Carrier. (1) In all domestic relations matters, except Protection from Abuse and Protection of Victims of Sexual Violence or Intimidation matters, a party may serve the original process, a notice or order to appear, if required, and other orders or documents, as necessary, by commercial carrier and USPS first class regular mail to the defendant's last known address. (i) The party serving the original process by commercial carrier shall: (A) restrict delivery of the commercial carrier's package to the defendant's address only; and (B) request that the commercial carrier provide a return receipt, which may be an electronic return receipt, detailing the date of delivery, the delivery address, and to whom the package was delivered. (ii) Completed Service by Commercial Carrier. Service of original process is complete when: (A) the return receipt bears the defendant's purported signature indicating receipt of the commercial carrier's package; (B) the return receipt acknowledges delivery of the commercial carrier's package to the defendant's address consistent with the commercial carrier's policy and the first class regular mail is not returned within 15 days; or (C) the commercial carrier returns the package indicating the defendant refused delivery, but the first class regular mail is not</p>					
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<p>returned within 15 days of mailing.</p> <p>(iii) Incomplete Service by Commercial Carrier.</p> <p>(A) Service of original process is incomplete when:</p> <p>(I) the commercial carrier returns the package indicating that the package was unclaimed by the defendant; or</p> <p>(II) is otherwise inconsistent with subdivision (c)(1)(ii).</p> <p>(B) If service by commercial carrier is incomplete, the party attempting service shall utilize another service method pursuant to these rules.</p> <p>(2) Protection from Abuse and Protection of Victims of Sexual Violence or Intimidation Matters. A party may serve original process by commercial carrier, if authorized by the court under subdivision (a)(2)(ii).</p> <p>(d) Acceptance of Service. The defendant or the defendant's authorized agent may accept service of original process as set forth in Pa.R.Civ.P. 402(b).</p> <p>(e) Time for Service.</p> <p>(1) Service Within the Commonwealth. Within 30 days of filing the original process, a person or party shall serve the original process on a defendant located within the Commonwealth.</p> <p>(2) Service Outside of the Commonwealth.</p> <p>(i) Within 90 days of filing the original process, a person or party shall serve the original process on a defendant located outside the Commonwealth as:</p> <p>(A) authorized by this rule;</p> <p>(B) provided by the law of the jurisdiction in which defendant will be served;</p> <p>(C) provided by treaty; or</p>						
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<p>(D) directed by the foreign authority in response to a letter rogatory or request.</p> <p>(ii) Protection from Abuse and Protection of Victims of Sexual Violence or Intimidation Matters.</p> <p>(A) A person shall serve original process on a defendant located outside of the Commonwealth by personal service as provided:</p> <p>(I) in subdivision (a); or</p> <p>(II) by the law in the jurisdiction where the defendant resides or is located.</p> <p>(B) If personal service is not completed within 48 hours after the filing of the original process, a person or party may serve a defendant located outside of the Commonwealth by other means authorized by this rule.</p> <p>(f) Service of Original Process on an Incarcerated Party.</p> <p>(1) A party serving original process on an incarcerated party in a domestic relations action shall include:</p> <p>(i) a notice of any proceeding; and</p> <p>(ii) a specific notice of the incarcerated party's right to petition the court to participate in the proceeding.</p> <p>(2) A party may petition the court to request that the incarcerated party participate in a proceeding when:</p> <p>(i) the incarcerated party seeks to participate as provided by statute or rule; or</p> <p>(ii) another party requires the incarcerated party's participation or testimony.</p> <p>(g) Reinstatement of Original Process.</p>					
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<p>(1) If a person or party cannot complete service within the time required by subdivision (e), the prothonotary shall reinstate the original process upon the party's <i>praecipe</i>:</p> <ul style="list-style-type: none"> (i) accompanied by the original process; or (ii) indicating that the original process has been lost or destroyed and accompanied by a substituted original process. <p>(2) A person or party shall serve the reinstated original process within the time periods set forth in subdivision (e).</p> <p>(3) A party may:</p> <ul style="list-style-type: none"> (i) request the prothonotary reinstate the original process at any time or any number of times; or (ii) name a new party defendant in a reinstated original process only if the complaint or petition has not been served on a defendant. <p>(h) Proof of Service.</p> <p>(1) Original Process Served.</p> <ul style="list-style-type: none"> (i) A party or person serving the original process shall complete a proof of service, which shall be by an affidavit if an individual other than a sheriff serves the original process. (ii) The proof of service shall state: <ul style="list-style-type: none"> (A) the date and time of service; (B) the place of service; (C) the manner in which service was made; (D) the identity of the person served; (E) other facts necessary for the court to determine whether proper service has been made; and (F) the additional documents required in subdivision (h)(3), as necessary. <p>(2) Personal Service Pursuant to Subdivision (a). The proof of service shall be filed in the</p>					
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<p>appropriate filing office within ten days of the date of service.</p> <p>(3) Service by Mail or Commercial Carrier Pursuant to Subdivisions (b) or (c).</p> <p>(i) Service Complete under Subdivision (b)(1)(ii)(A) or (c)(1)(ii)(A).</p> <p>(A) The proof of service shall include the return receipt bearing the defendant's purported signature; and</p> <p>(B) The proof of service shall be filed within ten days of the date the defendant signed the return receipt.</p> <p>(ii) Service Complete under Subdivision (b)(1)(ii)(B) or (c)(1)(ii)(B).</p> <p>(A) The proof of service shall include:</p> <p>(I) the return receipt or envelope acknowledging delivery to the defendant's residence consistent with USPS or the commercial carrier's policy; and</p> <p>(II) an affidavit indicating the first class regular mail was not returned within 15 days of mailing.</p> <p>(B) The proof of service shall be filed within ten days of the date:</p> <p>(I) the return receipt acknowledges delivery to the defendant's address consistent with USPS or the commercial carrier's policy; and</p> <p>(II) after the passage of time set forth in subdivisions</p> <p>(b)</p> <p>(1)</p> <p>(ii)</p> <p>(B) or (c)(1)(ii)(B).</p> <p>(iii) Service Complete under Subdivision (b)(1)(ii)(C) or</p> <p>(c)</p> <p>(1)</p>					
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<p>(ii) (C). (A) The proof of service shall include: (I) the return receipt or envelope acknowledging the attempted delivery to the defendant's residence and that delivery had been refused; and (II) an affidavit stating the first class regular mail was not returned within 15 days after mailing. (B) The proof of service shall be filed within ten days of the date: (I) the return receipt acknowledges the attempted delivery to the defendant's address consistent with USPS or the commercial carrier's policy; and (II) after the passage of time set forth in subdivisions (b) (1) (ii) (C) or (c)(1)(ii)(C). (4) Acceptance of Service Pursuant to Subdivision (d). (i) If the defendant or the defendant's authorized agent accepts service of the original process as authorized in subdivision (d), the defendant or the defendant's authorized agent shall sign an Acceptance of Service on the form set forth in Pa.R.Civ.P. 402(b). (ii) The Acceptance of Service shall be filed in the appropriate filing office within ten days of accepting service. (5) Original Process not Served. (i) If a party or person cannot serve the defendant within the time</p>						
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<p>allowed in subdivision (e), the party or person attempting service:</p> <p>(A) shall complete a proof of no service promptly; and</p> <p>(B) file the proof of no service in the appropriate filing office within ten days of the expiration of time allowed for service in subdivision (e).</p> <p>(ii) If a party or a person other than a sheriff attempts service of the original process, the proof of no service shall be by an affidavit stating with particularity the efforts made to effect service.</p> <p>(i) Appearance at Hearing or Conference. A party appearing for a hearing or conference will be deemed to have been served.</p>					
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<p>PUERTO RICO</p> <p>Orders for Protection</p> <p>8 L.P.R.A. § 448e</p> <p>8 L.P.R.A. § 625</p> <p><i>In re Procedure of Puerto Rico, 2009 TSPR 143</i></p>	<p><u>8 L.P.R.A. § 448e(b) Notice to parties and law enforcement agencies.</u></p> <p>Any order issued under this chapter must be notified to the respondent personally, whether by a marshal of the court, a law enforcement order officer, or any person over eighteen (18) years of age who is not a party to the case; or according to the procedure established in the Rules of Civil Procedure, App. IV of Title 32.</p> <p><u>8 L.P.R.A. § 625 Ex parte orders.</u></p> <p>Other legal provisions notwithstanding, the court may issue an ex parte protective order if it is determined that:</p> <p>(a) Diligent attempts have been made to serve the respondent with a copy of the summons issued by the court and of the petition that has been filed before the court, which have been unsuccessful, or</p> <p>(b) there is a probability that giving prior notice to the respondent will provoke irreparable harm which the order for protection is intended to prevent, or</p> <p>(c) when the petitioner shows that there is a substantial probability of immediate risk of abuse.</p> <p>Whenever the court issues an ex parte protective order, it shall do so provisionally, and shall immediately serve the respondent with a copy thereof or otherwise, within a term that shall not exceed forty-eight (48) hours, and shall afford the respondent an opportunity to object to it. To such effect, it shall docket a hearing to be held within twenty (20) days following the issuance of said ex parte order, unless the respondent requests an extension to such effect. During said hearing, the court may render the order without effect or extend the effect thereof for the term it deems necessary. The failure to serve the order within forty-eight (48) hours as established</p>	<p>Personal service requirement can be satisfied through personal delivery, through foreign letters, or by publication.</p> <p>If prior attempts to serve the respondent have failed, if there is an immediate risk of harm, or if there is a probability that prior notice will result in harm, an ex parte order may be issued.</p>	<p>Within 180 days of the filing date.</p>	<p>Statute is unclear.</p>	<p>Statute is silent.</p>	<p>A marshal, or any literate adult who is not a party to the case, a relative to a party to the case, or an attorney of a party to the case.</p>
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herein shall not render said order without effect. <u>In re Procedure of Puerto Rico, 2009 TSPR 143</u> <u>Rule 4.3 By whom made; time limit for service</u> (a) Personal service of process shall be made by a marshal or by any other person who is at least eighteen (18) years of age and can read and write, is not a party or a party's attorney or relative within the fourth degree of consanguinity or second of affinity, and has no interest in the action. (b) When, pursuant to Rule 3.1 or other statutory provision, the Court of First Instance has jurisdiction to entertain a complaint against a defendant who is outside Puerto Rico, service shall be made in one of the following manners: (1) By personal delivery as prescribed in subdivision (a) of this rule; (2) As prescribed by the law of that place for service in an action in its courts of general jurisdiction; (3) By letters rogatory to the foreign country in which the defendant is located; (4) By publication of legal notices as prescribed in Rule 4.5; or (5) As directed by the court. (c) Summons shall be served within a period of one hundred and eighty (180) days from the filing date of the complaint or from the issuance of the service by publication. The clerk shall issue the summons on the date the complaint was filed. Should the clerk fail to issue summons on that date, the court shall extend the time for service for a period equal to the clerk's delay once the plaintiff has timely moved for an extension. If summons is not served within said term, the court shall dismiss the action with prejudice.					
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<p>RHODE ISLAND</p> <p>Domestic Violence Restraining Order (Family Court)</p> <p>R.I. Gen. Laws Section 15-15-4.1</p>	<p><u>R.I. Gen. Laws Section 15-15-4.1 Return of service/alternate service</u></p> <p>(a) The complaint and any order issued under this chapter shall be personally served upon the defendant by a member of the division of sheriffs except as provided in subsections (c), (d), and (f) of this section. Service shall be made without payment of any fee when service is made by a deputy sheriff. At the election of the plaintiff, service, pursuant to the subsection, may also be made by a certified constable authorized to serve process pursuant to § 9-5-10.1. The constable shall be entitled to receive the fee allowed by law for the service of a family court summons. Where the defendant is a minor, the complaint and any order issued under this chapter shall also be personally served upon a parent or guardian of the minor.</p> <p>(b) Return of service shall be forwarded by the deputy sheriff or certified constable to the clerk of court prior to the date set down for a hearing on the complaint. If service has not been made, the deputy sheriff or constable shall indicate on the summons the reason and the attempts made to serve the defendant.</p> <p>(c) At the time the return of service is sent to the clerk of the court, the deputy sheriff or certified constable shall cause a copy of the return of service to be sent to the plaintiff and to the appropriate law enforcement agency.</p> <p>(d) If, at the time of the hearing on the complaint, the court determines that after diligent effort the deputy sheriff or certified constable has been unable to serve the defendant personally, the judge may order an alternate method of service designed to give reasonable notice of the action to the defendant and taking into consideration</p>	<p>Personal service must be attempted for notice of hearings and all orders.</p> <p>If personal service of a summons to hearing can't be made after diligent effort, the judge may order alternate service which may include certified and regular mail to the respondent's home or workplace, leaving a copy at the respondent's home with a person who lives there of suitable age and discretion, or publication in a newspaper for 2 weeks.</p> <p>If the defendant appears in court, the need for further service is waived.</p> <p>If the defendant is served with notice of a hearing but does not appear at that hearing, then any orders resulting from that order can be served by mail.</p>	<p>Statute is silent.</p>	<p>Statute is silent.</p>	<p>Statute is silent. If at the time of the hearing on the complaint, the court determines that after diligent effort, the defendant has been unable to be served personally, the judge may order an "alternate method of service designed to give reasonable notice of the action to the defendant" pursuant to R.I. Gen. Laws § 15-15-4.1(d).</p>	<p>Service can be made by a member of the division of sheriffs.</p>
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	<p>the plaintiff's ability to afford the means of service ordered. Alternative service shall include, but not be limited to: service by certified and regular mail at defendant's last known address (excluding the residence which he or she has been ordered to vacate) or place of employment, leaving copies at the defendant's dwelling or usual place of abode with a person of suitable age and discretion residing at the defendant's dwelling or usual place of abode, or by publication in a newspaper for two (2) consecutive weeks. The court shall set a new date for the hearing on the complaint and shall extend the temporary order until that date.</p> <p>(e) If the defendant appears in person before the court, the necessity for further service is waived and proof of service of that order is not necessary.</p> <p>(f) If the defendant is served notice regarding the complaint and hearing, but does not appear at the hearing, the clerk of the family court will mail the defendant a copy of the resulting order.</p>					
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<p>SOUTH CAROLINA</p> <p>S.C. Code Ann. § 20-4-50</p> <p>S.C. Code Ann. § 20-4-80</p> <p>S.C. Code Ann. § 20-4-90</p> <p>S.C. Code Ann. § 20-4-330</p> <p>S.C. Code Ann. § 20-4-340</p>	<p><u>S.C. Code Ann. § 20-4-50</u> <u>Hearing on petition</u> (b) If the court denies the motion for a twenty-four-hour hearing or such a hearing is not requested, the petitioner may request and the court must grant a hearing within fifteen days of the filing of a petition. The court must cause a copy of the petition to be served upon the respondent at least five days prior to the hearing, except as provided in subsection (a), in the same manner required for service in the circuit courts. Where service is not accomplished five days prior to the hearing, the respondent, upon his motion, is entitled to a continuance until such time is necessary to provide for compliance with this section.</p> <p><u>S.C. Code Ann. § 20-4-80</u> <u>Mailing or service of order.</u> A certified copy of an order of protection must be mailed to or served upon the petitioner, the respondent, and local law enforcement agencies having jurisdiction in the area where the petitioner resides. No charge may be made to the petitioner for such action.</p> <p><u>S.C. Code Ann. § 20-4-90</u> <u>Sheriff's department to assist in execution of order</u> When any order is issued pursuant to this chapter, upon request of the petitioner, the court may, as part of the order, require the sheriff's department or the police department pursuant to duties described under Section 20-4-100 to accompany the petitioner and assist in placing the petitioner in the possession of the dwelling or residence or otherwise assist in execution of service of the order.</p> <p><u>S.C. Code Ann. § 20-4-330 (D)(4)</u></p>	<p>Notice of hearings can be served in the same way required for service in the circuit courts.</p> <p>Orders can be mailed or served in other ways not specified by statute.</p>	<p>Notice of a hearing must be served at least 5 days before the hearing.</p> <p>Statute is silent on the time allowed for service of orders.</p>	<p>E-service is only allowed for pleadings after the initial pleading (the complaint). E-service of subsequent pleadings must be made through the state court's e-filing system.</p>	<p>Statute is silent.</p>	<p>As part of a protection order, the court may direct the sheriff's department or police department to assist in serving the order.</p>
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<p><u>Judicial enforcement of foreign protection order; determining validity of order.</u></p> <p>(D) A foreign protection order is valid if it:</p> <p>(4) was issued after the respondent was given reasonable notice and had an opportunity to be heard before the tribunal issued the order or, in the case of an order ex parte, the respondent was given notice and has had or will have an opportunity to be heard within a reasonable time after the order was issued, in a manner consistent with the rights of the respondent to due process.</p> <p><u>S.C. Code Ann. § 20-4-340 (C)</u></p> <p><u>Enforcement by law enforcement officer; service of order on respondent.</u></p> <p>(B) If a foreign protection order is not presented, a law enforcement officer of this State may consider other information in determining whether there is probable cause to believe that a valid foreign protection order exists.</p> <p>(C) If a law enforcement officer of this State determines that an otherwise valid foreign protection order cannot be enforced because the respondent has not been notified or served with the order, the officer shall inform the respondent of the order, make a reasonable effort to serve the order upon the respondent, and allow the respondent a reasonable opportunity to comply with the order before enforcing the order.</p> <p>South Carolina State and Federal Court Rules, Section 4, E-filing and E-service</p> <p>(e) Electronic Service .</p> <p>(1) Electronic Service of Process not Authorized</p> <p>Service of process or service of any pleadings initiating cases cannot be accomplished through the E-Filing System. The E-Filing System may not</p>					
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	be used for service of process of a summons and complaint, subpoena, or any other pleading or document required to be personally served under Rule 4, SCRCP.					
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<p>SOUTH DAKOTA</p> <p>Protection Order – Domestic Violence</p> <p>S.D. Codified Laws § 25-10-4</p> <p>S.D. Codified Laws § 25-10-7</p> <p>S.D. Codified Laws § 25-10-12.1</p>	<p><u>S.D. Codified Laws § 25-10-4</u> <u>Hearing — Time — Service on respondent.</u> Upon receipt of the petition, if sufficient grounds are alleged for relief, the court shall order a hearing which shall be held not later than thirty days from the date of the order unless for good cause the court grants a continuance. Personal service of the petition, affidavit, and notice for hearing shall be made on the respondent not less than five days prior to the hearing.</p> <p><u>S.D. Codified Laws § 25-10-7</u> <u>Limited duration of temporary order — Service on respondent — Notification of service to petitioner — Liability.</u> An ex parte temporary protection order is effective for a period of thirty days except as provided in § 25-10-7.1 unless for good cause the court grants a continuance. No continuance may exceed thirty days unless the court finds good cause for the additional continuance and: (1) The parties stipulate to an additional continuance; or (2) The court finds that law enforcement is unable to locate the respondent for purposes of service of the ex parte protection order. If a continuance is granted, the court by order shall extend the ex parte temporary protection order until the rescheduled hearing date. The respondent shall be personally served without delay with a copy of the ex parte order along with a copy of the petition, affidavit, and notice of the date set for the hearing. The ex parte order shall be served without delay under the circumstances of the case including service of the ex parte order on a Sunday or holiday. The law enforcement agency serving the order shall notify the petitioner by telephone or written correspondence when the order is served if the petitioner has provided to the law enforcement</p>	<p>Petitions and notice of hearings must be served personally.</p> <p>If a continuance is granted on a hearing for a final order, and an ex parte order has been issued, then the ex parte order must be served personally.</p> <p>Statute is silent on the method of serving final orders.</p>	<p>Petitions and notice of hearings must be served at least 5 days before the hearing.</p> <p>Statute is otherwise silent.</p>	<p>Statute is silent.</p>	<p>Statute is silent.</p>	<p>Statute is silent.</p>
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<p>agency either a telephone number or address, or both, where the petitioner may be contacted. The law enforcement agency and any officer of the law enforcement agency is immune from civil and criminal liability if the agency or the officer makes a good faith attempt to notify the petitioner in a manner consistent with the provisions of this section.</p> <p>S.D. Codified Laws § 25-10-12.1 Foreign domestic violence, physical violence or stalking protection order — Requirements for enforcement in state.</p> <p>Any domestic abuse protection order, or any stalking or physical violence protection order, issued by a court of competent jurisdiction of another state, Indian tribe, the District of Columbia, or a commonwealth, territory, or possession of the United States, and duly served on the respondent by the issuing jurisdiction, is enforceable as if the order was issued by a court in this state if all of the following requirements are satisfied:</p> <p>(1) The respondent received notice of the order in compliance with requirements of the issuing jurisdiction;</p> <p>(2) The order is in effect in the issuing jurisdiction;</p> <p>(3) The issuing court had jurisdiction over the parties and the subject matter;</p> <p>(4) The respondent is or has been afforded reasonable notice and opportunity to be heard sufficient to protect that person's right to due process in the issuing jurisdiction. In the case of ex parte orders, notice and opportunity to be heard is or has been provided within the time required by the law of the issuing jurisdiction; and, in any event, within a reasonable time after the order was issued, sufficient to protect the respondent's due</p>						
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	<p>process rights;</p> <p>(5) If the order also provides protection for the respondent, a petition, application, or other written pleading was filed with the issuing court seeking such an order and the issuing court made specific findings that the respondent was entitled to the order; and</p> <p>(6) The prohibited conduct violative of the foreign protection order could be prohibited by a protection order if issued in this state.</p> <p>Any protection order meeting the requirements of this section is a foreign domestic abuse protection order or a foreign stalking or physical violence protection order.</p>					
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<p>TENNESS EE</p> <p>Protection for Domestic Violence, Sexual Assault & Stalking</p> <p>Tenn. Code Ann. § 36-3- 605</p> <p>Tenn. Code Ann. § 20-2- 215</p> <p>Tenn. Code Ann. § 36-3- 609</p> <p>Tenn. Code Ann. § 36-3- 622</p>	<p><u>Tenn. Code Ann. § 36-3-605(c) Ex parte protection order -- Hearing – Extension</u></p> <p>(c) The court shall cause a copy of the petition and notice of the date set for the hearing on such petition, as well as a copy of any ex parte order of protection, to be served upon the respondent at least five (5) days prior to such hearing. An ex parte order issued pursuant to this part shall be personally served upon the respondent. However, if the respondent is not a resident of Tennessee, the ex parte order shall be served pursuant to §§ 20-2-215 and 20-2-216. Such notice shall advise the respondent that the respondent may be represented by counsel. In every case, unless the court finds that the action would create a threat of serious harm to the minor, when a petitioner is under eighteen (18) years of age, a copy of the petition, notice of hearing and any ex parte order of protection shall also be served on the parents of the minor child, or in the event that the parents are not living together and jointly caring for the child, upon the primary residential parent, pursuant to the requirements of this section.</p> <p><u>Tenn. Code Ann. § 20-2-215</u></p> <p><u>Service on secretary of state -- Forwarding by registered or certified mail -- Personal representatives of deceased defendants -- Time for appearance -- Registered or certified mail refused</u></p> <p>(a) Service of process pursuant to § 20-2-214 shall be made by lodging, by the plaintiff or the plaintiff's attorney, the original summons and a copy certified by the clerk of the court in which the action is brought, with a fee of twenty dollars (\$20.00), with the secretary of state, who shall promptly send, postage prepaid, the certified copy by registered or certified return receipt mail to the defendant, along with a written notice that</p>	<p>If the respondent is a resident of Tennessee, ex parte orders must be served personally. If the respondent is a nonresident, ex parte orders may be served by filing them with the secretary of state, who will mail them to the respondent.</p> <p>Final orders may be served by delivery to the respondent or their attorney, or by having the clerk of the court mail them to the respondent's last known address.</p>	<p>Ex parte orders must be served (along with the petition and notice of the hearing) at least five days before the hearing.</p>	<p>Statute is silent.</p>	<p>Statute is silent.</p>	<p>Statute is silent.</p>
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<p>service was so made.</p> <p>(b) In case it appears, either before or after the lodging of process as provided in subsection (a), that the nonresident is dead, then either original or alias process may issue directed to the personal representative of the nonresident deceased and shall be sent as provided in this section to the probate court of the county and state of the residence of the deceased at the time of the deceased's death. No appearance need be made nor shall judgment be taken against the personal representative until the lapse of sixty (60) days from the date of mailing the process to such probate court. The procedure for mailing such process and proof of service of process shall be as provided in this section and in § 20-2-216 for the service upon living persons.</p> <p>(c) The fee of twenty dollars (\$20.00) so paid by plaintiff, when fact of payment is endorsed on the original process by the secretary of state, shall be taxed as plaintiff's cost, to abide the judgment.</p> <p>(d) In case delivery of process so made by registered or certified mail is refused by the addressee of the process, such refusal to be evidenced by appropriate notation of such fact by the postal authorities, such refusal shall be deemed the equivalent of delivery and adequately constitutes service.</p> <p><u>Tenn. Code Ann. § 36-3-609 (a)-(b)</u> <u>Effectiveness of order of protection -- Service</u></p> <p>(a) If the respondent has been served with a copy of the petition, notice of hearing, and any ex parte order issued pursuant to § 36-3-605(c), any subsequent order of protection shall be effective when the order is entered. For purposes of this section, an order shall be considered entered when such order is signed by:</p>					
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	<p>(1) The judge and all parties or counsel; (2) The judge and one party or counsel and contains a certificate of counsel that a copy of the proposed order has been served on all other parties or counsel; or (3) The judge and contains a certificate of the clerk that a copy has been served on all other parties or counsel.</p> <p>(b)</p> <p>(1) As used in subsection (a), service upon a party or counsel shall be made by delivering to such party or counsel a copy of the order of protection, or by the clerk mailing it to the party's last known address. In the event the party's last known address is unknown and cannot be ascertained upon diligent inquiry, the certificate of service shall so state. Service by mail is complete upon mailing. In order to complete service of process in a timely manner on a party who lives outside the county where the order was issued, the clerk may transmit the order to the sheriff in the appropriate county by electronic transmission.</p> <p>(2) Notwithstanding <u>§ 16-15-902</u>, an ex parte order of protection may be served within one (1) year of issuance.</p> <p><u>Tenn. Code Ann. § 36-3-609 (a)-(b)</u> <u>Effectiveness of order of protection – Service</u> <u>[Effective January 1, 2026]</u></p> <p>(a) If the respondent has been served with a copy of the petition, notice of hearing, and any ex parte order issued pursuant to § 36-3-605(c), any subsequent order of protection shall be effective when the order is entered. For purposes of this section, an order shall be considered entered when such order is signed by:</p> <p>(1) The judge and all parties or counsel;</p>					
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	<p>(2) The judge and one party or counsel and contains a certificate of counsel that a copy of the proposed order has been served on all other parties or counsel; or</p> <p>(3) The judge and contains a certificate of the clerk that a copy has been served on all other parties or counsel.</p> <p>(b)</p> <p>(1) As used in subsection (a), service upon a party or counsel shall be made by delivering to such party or counsel a copy of the order of protection, or by the clerk mailing it to the party's last known address. In the event the party's last known address is unknown and cannot be ascertained upon diligent inquiry, the certificate of service shall so state. Service by mail is complete upon mailing. In order to complete service of process in a timely manner on a party who lives outside the county where the order was issued, the clerk may transmit the order to the sheriff in the appropriate county by electronic transmission.</p> <p>(2) Notwithstanding § 16-15-902, an ex parte order of protection may be served within one (1) year of issuance.</p> <p>Tenn. Code Ann. § 36-3-622 Out-of-state protection orders</p> <p>(a) Any valid protection order related to abuse, domestic abuse, or domestic or family violence, issued by a court of another state, tribe or territory shall be afforded full faith and credit by the courts of this state and enforced as if it were issued in this state.</p> <p>(b)</p> <p>(1) A protection order issued by a state, tribal or territorial court related to abuse, domestic abuse or domestic or family violence shall be deemed valid if the issuing court has jurisdiction over the parties and matter under the law of the issuing state, tribe or territory. There shall be a presumption in favor of validity where an order appears authentic on its face.</p>					
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	<p>(2) For a foreign protection order to be valid in this state, the respondent must have been given reasonable notice and the opportunity to be heard before the order of the foreign state, tribe or territory was issued; provided, that in the case of ex parte orders, notice and opportunity to be heard must have been given as soon as possible after the order was issued, consistent with due process.</p> <p>(3) Failure to provide reasonable notice and the opportunity to be heard shall be an affirmative defense to any charge or process filed seeking enforcement of a foreign protection order.</p> <p>(c) A petitioner may present a certified copy of a foreign order of protection to a court having jurisdiction of orders of protection in the county in which the petitioner believes enforcement may be necessary. The clerk of such court shall receive the certified copies of any foreign order of protection and any supporting documents used to show the validity of such order and shall maintain such orders, along with any submitted documents. No costs, fees or taxes shall be charged by the clerks for this service. If an enforcement action is instituted in the court pursuant to any such order, the clerk shall file the order and shall otherwise treat the enforcement action as a case, except that all court costs, fees and litigation taxes shall be taxed by the judge at the adjudication of the enforcement action. It shall be a defense to any action taken for the enforcement of such order that the order is not valid as provided in subsection (b) or (d). No person shall present a foreign order of protection to a clerk that the person knows to no longer be in effect. A foreign order of protection shall continue in effect for the period of time specified in the order, and, if no time limitation is so specified, then the order shall continue in effect for a period of one (1) year from the date on which it is first presented to a Tennessee court pursuant to subsection (c); provided, that a continuation of any such order may be granted by the court subject to the requirements</p>					
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	<p>set forth in § 36-3-605.</p> <p>(d) A protection order entered against both the petitioner and respondent shall not be enforceable against the petitioner in a foreign jurisdiction unless:</p> <p>(1) The respondent filed a cross- or counter-petition, or a complaint or other written pleading was filed seeking such a protection order; and</p> <p>(2) The issuing court made specific findings of domestic or family violence against the petitioner.</p> <p>(e) The clerk shall be under no obligation to make a determination as to the validity of such orders or documentation, but shall forward a copy of the foreign protection order and any supporting documentation filed with the order to the local police or sheriff's office, as provided for in § 36-3-609.</p> <p>(f) Upon request, the clerk shall provide a copy of the order to the person offering the same showing proof of receipt by the clerk's office.</p> <p>(g) Regardless of whether a foreign order of protection has been filed in this state pursuant to this section, a law enforcement officer may rely upon a copy of any such protection order that has been provided to the officer by any source and may also rely upon the statement of any person protected by a foreign order that the order remains in effect. A law enforcement officer acting in good faith shall be immune from civil and criminal liability in any action in connection with a court's finding that the foreign order was for any reason not enforceable.</p>					
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TEXAS	<p><u>Tex. Fam. Code § 82.043</u> <u>Service of Notice of Application</u> (a) Each respondent to an application for a protective order is entitled to service of notice of an application for a protective order. (b) An applicant for a protective order shall furnish the clerk with a sufficient number of copies of the application for service on each respondent. (c) Notice of an application for a protective order must be served in the same manner as citation under the Texas Rules of Civil Procedure, except that service by publication is not authorized. (d) Service of notice of an application for a protective order is not required before the issuance of a temporary ex parte order under Chapter 83. (e) The requirements of service of notice under this subchapter do not apply if the application is filed as a motion in a suit for dissolution of a marriage. Notice for the motion is given in the same manner as any other motion in a suit for dissolution of a marriage.</p> <p><u>Tex. R. Civ. P. 103. Who May Serve</u> Process including citation and other notices, writs, orders, and other papers issued by the court may be served anywhere by (1) any sheriff or constable or other person authorized by law, (2) any person authorized by law or by written order of the court who is not less than eighteen years of age, or (3) any person certified by the Judicial Branch Certification Commission. Service by registered or certified mail and citation by publication must, if requested, be made by the clerk of the court in which the case is pending. But no person who is a party to or interested in the outcome of a suit may serve any process in that suit, and, unless otherwise authorized by a written court order, only a sheriff</p>	<p>Notice of an application for a protective order may be served by personal service, or registered or certified mail. If those have failed, then the respondent may be served by (1) leaving a copy with someone at least 16 years old at the respondent's abode, business or other place where the respondent can probably be found, or (2) by any other method reasonably likely to give the respondent notice.</p> <p>A final or ex parte order can be served by personal service, mail, commercial delivery service, fax, email, in the same manner as a writ of injunction, in open court, or in another way ordered by the court.</p>	Statute is silent.	Statute is silent.	<p>If either personal service or service via certified mail is ineffective, one can file a motion attached to an sworn statement that lists places that one believes the defendant might be and detail how personal service/certified mail service has not worked. The court then may allow service through social media, e-mail and other technology as long as there is evidence to show that this method is likely to provide notice to the defendant. Tex. R. Civ. P. 106(b)(2)</p> <p>(1) Documents Filed Electronically. A document filed electronically under Rule 21 must be served electronically through the electronic filing manager if the email address of the party or attorney to be served is on file with</p>	<p>Notice of an application for a protective order can be served by any sheriff or constable, any adult authorized by the court, or any person certified by order of the Texas Supreme Court.</p> <p>A final or ex parte order can be served by the petitioner, an attorney of record, a sheriff or constable, or any other person competent to testify.</p>
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	<p>or constable may serve a citation in an action of forcible entry and detainer, a writ that requires the actual taking of possession of a person, property or thing, or process requiring that an enforcement action be physically enforced by the person delivery the process. The order authorizing a person to serve process may be made without written motion and no fee may be imposed for issuance of such order.</p> <p><u>Tex. R. Civ. P. 106. Method of Service</u> (a) Unless the citation or court order otherwise directs, the citation must be served by: (1) delivering to the defendant, in person, a copy of the citation, showing the delivery date, and of the petition; or (2) mailing to the defendant by registered or certified mail, return receipt requested, a copy of the citation and of the petition. (b) Upon motion supported by a statement—sworn to before a notary or made under penalty of perjury—listing any location where the defendant can probably be found and stating specifically the facts showing that service has been attempted under (a)(1) or (a)(2) at the location named in the statement but has not been successful, the court may authorize service: (1) by leaving a copy of the citation and of the petition with anyone older than sixteen at the location specified in the statement; or (2) in any other manner, including electronically by social media, email, or other technology, that the statement or other evidence shows will be reasonably effective to give the defendant notice of the suit.</p> <p><u>Tex. Fam. Code § 85.041.</u> <u>Delivery to Respondent.</u> (a) A protective order rendered under this</p>				<p>the electronic filing manager. If the email address of the party or attorney to be served is not on file with the electronic filing manager, the document may be served on that party or attorney under subparagraph (2). (2) Documents Not Filed Electronically. A document not filed electronically may be served in person, by mail, by commercial delivery service, by fax, by email, or by such other manner as the court in its discretion may direct.</p> <p>Electronic service is complete on transmission of the document to the serving party's electronic filing service provider. The electronic filing manager will send confirmation of service to the serving party.</p>	
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<p>subtitle shall be:</p> <p>(1) delivered to the respondent as provided by Rule 21a, Texas Rules of Civil Procedure;</p> <p>(2) served in the same manner as a writ of injunction; or</p> <p>(3) served in open court at the close of the hearing as provided by this section.</p> <p>(b) The court shall serve an order in open court to a respondent who is present at the hearing by giving to the respondent a copy of the order, reduced to writing and signed by the judge or master. A certified copy of the signed order shall be given to the applicant at the time the order is given to the respondent. If the applicant is not in court at the conclusion of the hearing, the clerk of the court shall mail a certified copy of the order to the applicant not later than the third business day after the date the hearing is concluded.</p> <p>(c) If the order has not been reduced to writing, the court shall give notice orally to a respondent who is present at the hearing of the part of the order that contains prohibitions under Section 85.022 or any other part of the order that contains provisions necessary to prevent further family violence. The clerk of the court shall mail a copy of the order to the respondent and a certified copy of the order to the applicant not later than the third business day after the date the hearing is concluded.</p> <p>(d) If the respondent is not present at the hearing and the order has been reduced to writing at the conclusion of the hearing, the clerk of the court shall immediately provide a certified copy of the order to the applicant and mail a copy of the order to the respondent not later than the third business day after the date the hearing is concluded.</p> <p><u>Tex. R. Civ. P. 21a Methods of Service</u></p>					
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	<p>(a) Methods of Service. --Every notice required by these rules, and every pleading, plea, motion, or other form of request required to be served under Rule 21, other than the citation to be served upon the filing of a cause of action and except as otherwise expressly provided in these rules, may be served by delivering a copy to the party to be served, or the party's duly authorized agent or attorney of record in the manner specified below:</p> <p>(1) Documents Filed Electronically. --A document filed electronically under Rule 21 must be served electronically through the electronic filing manager if the email address of the party or attorney to be served is on file with the electronic filing manager. If the email address of the party or attorney to be served is not on file with the electronic filing manager, the document may be served on that party or attorney under subparagraph (2).</p> <p>(2) Documents Not Filed Electronically. --A document not filed electronically may be served in person, by mail, by commercial delivery service, by fax, by email, or by such other manner as the court in its discretion may direct.</p> <p>(b) When Complete.</p> <p>(1) Service by mail or commercial delivery service shall be complete upon deposit of the document, postpaid and properly addressed, in the mail or with a commercial delivery service.</p> <p>(2) Service by fax is complete on receipt. Service completed after 5:00 p.m. local time of the recipient shall be deemed served on the following day.</p> <p>(3) Electronic service is complete on transmission of the document to the serving party's electronic filing service provider. The electronic filing manager will send confirmation of service to the serving party.</p>					
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	<p>(d) Who May Serve. --Notice may be served by a party to the suit, an attorney of record, a sheriff or constable, or by any other person competent to testify.</p> <p>(e) Proof of Service. --The party or attorney of record shall certify to the court compliance with this rule in writing over signature and on the filed instrument. A certificate by a party or an attorney of record, or the return of the officer, or the affidavit of any other person showing service of a notice shall be prima facie evidence of the fact of service. Nothing herein shall preclude any party from offering proof that the document was not received, or, if service was by mail, that the document was not received within three days from the date that it was deposited in the mail, and upon so finding, the court may extend the time for taking the action required of such party or grant such other relief as it deems just.</p> <p><u>Tex. R. Civ. P. 689 Service and Return</u> The officer receiving a writ of injunction shall indorse thereon the date of its receipt by him, and shall forthwith execute the same by delivering to the party enjoined a true copy thereof. The officer must complete and file a return in accordance with Rule 107.</p> <p><u>Tex. Fam. Code § 88.003(d)(4)</u> <u>Judicial Enforcement of Order</u> (d) A foreign protective order is valid if the order: (4) was rendered after the respondent was given reasonable notice and an opportunity to be heard consistent with the right to due process, either: (A) before the tribunal issued the order; or (B) in the case of an ex parte order, within a reasonable time after the order was rendered.</p>					
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	<p><u>Tex. Fam. Code § 88.004 (d)</u> <u>Nonjudicial Enforcement of Order</u> (d) A law enforcement officer of this state who determines that an otherwise valid foreign protective order cannot be enforced because the respondent has not been notified or served with the order shall inform the respondent of the order and make a reasonable effort to serve the order on the respondent. After informing the respondent and attempting to serve the order, the officer shall allow the respondent a reasonable opportunity to comply with the order before enforcing the order.</p>					
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<p>UTAH</p> <p>Domestic Violence Protective Order</p> <p>Utah Code Ann. § 78B-7-603</p> <p>Utah Code Ann. § 78B-7-303</p> <p>Utah Code Ann. § 78B-7-304</p>	<p>Utah Code Ann. § 78B-7-603(5)(a), (8)-(9)</p> <p>Protective orders — Ex parte protective orders — Modification of orders — Service of process — Duties of the court.</p> <p>(5) Upon issuance of a cohabitant abuse protective order or a no-fault cohabitant abuse protective order, the court shall:</p> <p>(a) as soon as possible, deliver the order to the county sheriff for service of process;</p> <p>(8)</p> <p>(a) The county sheriff that receives the order from the court, under Subsection (5), shall provide expedited service for protective orders issued in accordance with this part, and shall transmit verification of service of process, when the order has been served, to the statewide domestic violence network described in Section 78B-7-113.</p> <p>(b) This section does not prohibit any law enforcement agency from providing service of process if that law enforcement agency:</p> <p>(i) has contact with the respondent and service by that law enforcement agency is possible; or</p> <p>(ii) determines that under the circumstances, providing service of process on the respondent is in the best interests of the petitioner.</p> <p>(9)</p> <p>(a) When a protective order is served on a respondent in a jail or other holding facility, the law enforcement agency managing the facility shall make a reasonable effort to provide notice to the petitioner at the time the respondent is released from incarceration.</p> <p>(b) Notification of the petitioner shall consist of a good faith reasonable effort to provide</p>	<p>Orders are served by law enforcement, implying personal service, but statute does not specifically say what methods are available.</p>	<p>Orders must be served expeditiously. Statute does not provide a specific deadline.</p>	<p>Statute is silent.</p>	<p>Statute is silent.</p>	<p>Orders are given to county sheriffs for service. However, other law enforcement agencies can serve orders if they either (a) have contact with the respondent and are able to serve the order, or (b) determine that providing service is in the best interests of the petitioner.</p>
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	<p>notification, including mailing a copy of the notification to the last-known address of the victim.</p> <p>Utah Code Ann. § 78B-7-303 (4) Judicial Enforcement of Order</p> <p>(4) A foreign protection order is valid if it:</p> <ul style="list-style-type: none"> (a) identifies the protected individual and the respondent; (b) is currently in effect; (c) was issued by a tribunal that had jurisdiction over the parties and subject matter under the law of the issuing state; and (d) was issued after the respondent was given reasonable notice and had an opportunity to be heard before the tribunal issued the order or, in the case of an order ex parte, the respondent was given notice and has had or will have an opportunity to be heard within a reasonable time after the order was issued, in a manner consistent with the rights of the respondent to due process. <p>Utah Code Ann. § 78B-7-304 Nonjudicial enforcement of order.</p> <p>(1) A law enforcement officer of this state, upon determining that there is probable cause to believe that a valid foreign protection order exists and that the order has been violated, shall enforce the order as if it were the order of a tribunal of this state. Presentation of a protection order that identifies both the protected individual and the respondent and, on its face, is currently in effect constitutes probable cause to believe that a valid foreign protection order exists. For the purposes of this section, the protection order may be inscribed on a tangible medium or may have been stored in an electronic or other medium if it is retrievable in perceivable</p>					
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	<p>form. Presentation of a certified copy of a protection order is not required for enforcement.</p> <p>(2) If a foreign protection order is not presented, a law enforcement officer of this state may consider other information in determining whether there is probable cause to believe that a valid foreign protection order exists.</p> <p>(3) If a law enforcement officer of this state determines that an otherwise valid foreign protection order cannot be enforced because the respondent has not been notified or served with the order, the officer shall inform the respondent of the order, make a reasonable effort to serve the order upon the respondent, and allow the respondent a reasonable opportunity to comply with the order before enforcing the order.</p> <p>(4) Registration or filing of an order in this state is not required for the enforcement of a valid foreign protection order pursuant to this part.</p>					
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<p>VERMONT</p> <p>Relief from Abuse</p> <p>Vt. Stat. Ann. tit. 15, § 1105</p> <p>V.R.C.P. Rule 4</p> <p>V.R.C.P. Rule 5</p> <p>Vt. Stat. Ann. tit. 15, § 1108</p>	<p><u>Vt. Stat. Ann. tit. 15, § 1105 Service</u></p> <p>(a) A complaint or ex parte temporary order or final order issued under this chapter shall be served in accordance with the Vermont Rules of Civil Procedure and may be served by any law enforcement officer. A court that issues an order under this chapter during court hours shall promptly transmit the order electronically or by other means to a law enforcement agency for service.</p> <p>(b)</p> <p>(1) A defendant who attends a hearing held under section 1103 or 1104 of this title at which a temporary or final order under this chapter is issued and who receives notice from the court on the record that the order has been issued shall be deemed to have been served. A defendant notified by the court on the record shall be required to adhere immediately to the provisions of the order. The clerk shall mail a copy of the order to the defendant at the defendant's last known address.</p> <p>(2) An ex parte temporary order issued under this chapter shall remain in effect until either it is dismissed by the court or the petition is denied at the final hearing. If the plaintiff fails to appear at the final hearing, the petition shall be dismissed, provided that the court may continue the temporary order until the final hearing if it makes findings on the record stating why there is good cause not to dismiss the petition. If a final order is issued, the temporary order shall remain in effect until personal service of the final order.</p> <p>(c) Abuse orders shall be served by the law enforcement agency at the earliest possible time and shall take precedence over other summonses and orders. Orders shall be served in a manner calculated to ensure the safety of the</p>	<p>Complaints are served by personal service, leaving a copy at the respondent's dwelling house or usual place of abode with someone of suitable age and discretion who lives there, delivering a copy to an agent authorized to receive it. On a motion showing that these methods can't be made with due diligence, the court may order service by leaving a copy at the respondent's dwelling house of usual place of abode, or by publication.</p> <p>Orders must be served in a way calculated to ensure the safety of the plaintiff.</p> <p>Orders can be served by personal service, leaving the order at the person's office with a clerk or person in charge (or, if no one is in charge, leaving it in a</p>	<p>Orders must be transmitted promptly to a law enforcement agency for service. Then they must be served by the agency at the earliest possible time.</p> <p>Service of abuse orders takes precedence over other service.</p>	<p>Statute is silent.</p>	<p>Service of pleadings other than the summons can be done by (A) Using the Electronic Filing System. Using the electronic filing system means using the Judiciary's electronic filing system to transmit documents by choosing File and Serve or Serve and selecting the party's contact from the Public List to serve other registered users with public service contacts as required or permitted by the 2020 Vermont Rules for Electronic Filing. Service is complete upon transmission by the electronic filing system to the other party unless the sender learns that it did not reach the person to be served; or (D) Email. Email means sending an attachment to the email address or addresses of the person to be served with the case title</p>	<p>Complaints and orders can be served by any law enforcement officer.</p>
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	<p>plaintiff. Methods of service that include advance notification to the defendant shall not be used. The person making service shall file a return of service with the court stating the date, time, and place at which the order was delivered personally to the defendant.</p> <p>(d) If service of a notice of hearing issued under section 1103 or 1104 of this title cannot be made before the scheduled hearing, the court shall continue the hearing and extend the terms of the order upon request of the plaintiff for such additional time as it deems necessary to achieve service on the defendant.</p> <p><u>V.R.C.P. Rule 4 (a), (c)-(d)(1), (e)-(g) Process</u></p> <p>(a) Summons: Issuance. -- The summons shall be filled out by the plaintiff's attorney as provided in subdivision (b) of this rule. The plaintiff's attorney shall deliver to the person who is to make service the original summons or a copy upon which to make a return of service and a copy of the summons and of the complaint for service upon the defendant.</p> <p>(c) By Whom Served. -- Service of all process must be made by a sheriff or deputy sheriff, by a constable or other person authorized by law, or by some indifferent person specially appointed for that purpose by any superior judge, except that process served by mail under paragraph (d)(2) or subdivision (f), and a notice and request sent pursuant to subdivision (l) may be deposited in the mail by plaintiff or plaintiff's attorney. A subpoena may be served as provided in Rule 45. Special appointments to serve process must be made freely when substantial savings in travel fees will result.</p>	<p>conspicuous place), or if the office is closed, leaving it at the person's dwelling house or usual place of abode with a person of suitable age and discretion who lives there. If the respondent is represented by an attorney, the attorney must be served instead.</p>			<p>and number in the subject line. Service is complete upon sending unless the sender learns that it did not reach the person to be served.</p>	
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<p>(d) Summons: Personal Service Within the State. -- The summons and complaint shall be served together. Personal service within the state shall be made as follows:</p> <p>(1) Upon an individual by delivering a copy of the summons and of the complaint to the individual personally or by leaving copies thereof at the individual's dwelling house or usual place of abode with some person of suitable age and discretion then residing therein or by delivering a copy of the summons and of the complaint to an agent authorized by appointment or by law to receive service of process, provided that if the agent is one designated by statute to receive service, such further notice as the statute requires shall be given. The court, on motion, upon a showing that service as prescribed above cannot be made with due diligence, may order service to be made by leaving a copy of the summons and of the complaint at the defendant's dwelling house or usual place of abode, or to be made by publication pursuant to subdivision (g) of this rule, if the court deems publication to be more effective.</p> <p>If the individual is an infant or incompetent person, process may be served upon the individual by one of the foregoing methods, or as follows:</p> <p>(i) Upon an infant by delivering a copy of the summons and of the complaint personally (a) to the infant and (b) also to the infant's guardian if the infant has one within the state, known to the plaintiff, and if not, then the infant's father or mother or other person having the infant's care or control, or with whom the infant resides, or if service cannot be made upon any of them, then as provided by order of the court.</p>						
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	<p>(ii) Upon an incompetent person by delivering a copy of the summons and of the complaint personally (a) to the guardian of that person or a competent adult member of that person's family with whom that person resides, or if that person is living in an institution, then to the director or chief executive officer of the institution, or if service cannot be made upon any of them, then as provided by order of the court and (b) unless the court otherwise orders, also to the incompetent.</p> <p>(e) Personal Service Outside the State. A person whose contact or activity in the state or such contact or activity imputable to that person is sufficient to support a personal judgment against that person may be served with the summons and complaint outside the state, in the same manner as if such service were made within the state, or in any manner in which service may be effected under the laws of the state in which the person is served. Service outside the state may be made by any person authorized to serve civil process by the laws of the place of service or by a person specially appointed to serve it. An affidavit of the person making service must be filed with the court, stating the time, manner, and place of service. Such service has the same force and effect as service within the state.</p> <p>(f) Service by Mail Outside the State.</p> <p>(1) When Available. A party may serve the summons and complaint by mail on a person outside the state if:</p> <p>(A) After due diligence, the party is unable to serve the person according to subdivision (d) or (e);</p> <p>(B) The person to be served has contact or activity in the state or imputable contact or</p>					
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	<p>activity sufficient to support a personal judgment; and</p> <p>(2) Return Receipt. The party must first attempt a mail delivery that requires a signature by the addressee or the agent of the addressee for receipt of mail. If delivery is successful, service is complete on delivery if the party files proof of service with:</p> <p>(A) The signed return receipt and</p> <p>(B) An affidavit stating the party's efforts to serve the person according to subdivision (d) or (e).</p> <p>(3) First-Class Mail. First-Class Mail. If the receipt is not returned signed according to paragraph (2), then the party may mail the summons and complaint by first-class mail. Service is complete when mailed, if the party files proof of service with:</p> <p>(A) Any notice that delivery was refused; and</p> <p>(B) An affidavit stating:</p> <p>(i) the party's efforts to serve the person according to subdivision (d) or (e) and by return receipt mail;</p> <p>(ii) that the mail was not returned as undeliverable; and</p> <p>(iii) that the party used the last known address of the person to be served.</p> <p>(g) Service by Publication.</p> <p>(1) When Service May Be Made. At any time after the filing of the complaint, the court, on motion upon a showing made by verified complaint or affidavit duly filed that service cannot with due diligence be made by another prescribed method, shall order service by publication when the person to be served is one described in subdivision (e) of this rule, unless a statute provides another method of notice.</p>					
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	<p>(2) Contents of Order. -- An order for service by publication shall include (i) a brief statement of the object of the action; (ii) if the action places in issue the title or interest of the defendant to any property, a description of any such property; and (iii) the substance of the summons prescribed by subdivision (b) of this rule. The order shall also direct its publication once a week and at least seven days apart for 2 or more successive weeks in a designated newspaper or newspapers of general circulation reasonably calculated to give notice to the defendant; and the order shall also direct the mailing to the defendant, if an address is known, of a copy of the order as published.</p> <p>(3) Time of Publication; When Service Complete. The first publication of the summons shall be made within 21 days after the order is granted. Service by publication is complete on the twenty-second day after the first publication. The plaintiff shall file with the court an affidavit that publication has been made.</p> <p><u>V.R.C.P. Rule 5 (b)</u> <u>Service and Filing of Pleadings and Other Documents (b)</u> Same: How Made. Whenever under Rule 5(a) or 77(d) service is required or permitted to be made upon a party represented by an attorney the service shall be made upon the attorney unless service upon the party is ordered by the court.</p> <p>(1) Methods of Service of Documents Defined. Within this rule, the following definitions apply.</p> <p>(A) Using the Electronic Filing System. Using the electronic filing system means using the Judiciary's electronic filing system to</p>					
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	<p>transmit documents by choosing File and Serve or Serve and selecting the party's contact from the Public List to serve other registered users with public service contacts as required or permitted by the 2020 Vermont Rules for Electronic Filing. Service is complete upon transmission by the electronic filing system to the other party unless the sender learns that it did not reach the person to be served.</p> <p>(B) Delivery. Delivery means: handing to the attorney or to the party; or leaving at the attorney's or party's office with a clerk or other person in charge thereof; or, if there is no one in charge, leaving in a conspicuous place therein; or, if the office is closed or the person to be served has no office, leaving at the person's dwelling house or usual place of abode with some person of suitable age and discretion then residing therein.</p> <p>(C) Mailing. Mailing means: sending by ordinary first-class mail or by commercial carrier. Service by mail or by commercial carrier is complete upon mailing or delivery to the carrier.</p> <p>(D) Email. Email means sending an attachment to the email address or addresses of the person to be served with the case title and number in the subject line. Service is complete upon sending unless the sender learns that it did not reach the person to be served.</p> <p>(E) Leaving with the Clerk. Leaving with the clerk means filing the document with the clerk using a method allowed by subdivision (e) along with a statement that the filer is prevented by rule or court order from</p>					
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	<p>contacting the party or knowing the party's contact information.</p> <p><u>Vt. Stat. Ann. tit. 15, § 1108 (c)(4)</u></p> <p><u>Enforcement</u></p> <p>(c) A foreign abuse prevention order shall be enforceable in the courts in this state if all the following are satisfied:</p> <p>(4) In the issuing state the law gives reasonable notice and opportunity to be heard to the person against whom the order is sought sufficient to protect that person's right to due process. In the case of ex parte orders, notice and opportunity to be heard must be provided within a reasonable time after the order is issued, sufficient to protect the defendant's due process rights. Failure to provide reasonable notice and opportunity to be heard shall be an affirmative defense to any charge or process filed seeking enforcement of the foreign protection order.</p>					
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<p>VIRGINIA</p> <p>Protective Order (Family Abuse)</p> <p>Va. Code Ann. § 19.2-152.8</p> <p>Va. Code Ann. § 19.2-152.9</p> <p>Va. Code Ann. § 19.2-152.10</p> <p>Va. Code Ann. § 16.1-279.1</p>	<p><u>Va. Code Ann. § 19.2-152.8(E), (J)</u> <u>Emergency protective orders authorized</u> E. The court or magistrate shall forthwith, but in all cases no later than the end of the business day on which the order was issued, enter and transfer electronically to the Virginia Criminal Information Network the respondent's identifying information and the name, date of birth, sex, and race of each protected person provided to the court or magistrate. A copy of an emergency protective order issued pursuant to this section containing any such identifying information shall be forwarded forthwith to the primary law-enforcement agency responsible for service and entry of protective orders. Upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the identifying information and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith upon the respondent and due return made to the court. However, if the order is issued by the circuit court, the clerk of the circuit court shall forthwith forward an attested copy of the order containing the respondent's identifying information and the name, date of birth, sex, and race of each protected person provided to the court to the primary law-enforcement agency providing service and entry of protective orders and upon receipt of the order, the primary law-enforcement agency shall enter the name of the person subject to the order and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network established and maintained by the Department pursuant to</p>	<p>Ex parte orders must be served in person.</p> <p>Statute is silent on how final orders are served.</p>	<p>Orders must be served as soon as possible. Statute does not provide a specific deadline.</p>	<p>Statute is silent.</p>	<p>Statute is silent.</p>	<p>Service is made by law enforcement agencies.</p>
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<p>Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith upon the respondent. Upon service, the agency making service shall enter the date and time of service and other appropriate information required into the Virginia Criminal Information Network and make due return to the court. One copy of the order shall be given to the alleged victim of such crime. The judge or magistrate who issues an oral order pursuant to an electronic request by a law-enforcement officer shall verify the written order to determine whether the officer who reduced it to writing accurately transcribed the contents of the oral order. The original copy shall be filed with the clerk of the appropriate district court within five business days of the issuance of the order. If the order is later dissolved or modified, a copy of the dissolution or modification order shall also be attested, forwarded forthwith to the primary law-enforcement agency responsible for service and entry of protective orders, and upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the identifying information and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network as described above and the order shall be served forthwith and due return made to the court. Upon request, the clerk shall provide the alleged victim of such crime with information regarding the date and time of service.</p> <p>J. No fee shall be charged for filing or serving any petition pursuant to this section.</p> <p><u>Va. Code Ann. § 19.2-152.9(B), (C), (E)</u> <u>Preliminary protective orders.</u></p> <p>B. The court shall forthwith, but in all cases no later than the end of the business day on which</p>					
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	<p>the order was issued, enter and transfer electronically to the Virginia Criminal Information Network the respondent's identifying information and the name, date of birth, sex, and race of each protected person provided to the court. A copy of a preliminary protective order containing any such identifying information shall be forwarded forthwith to the primary law-enforcement agency responsible for service and entry of protective orders. Upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the identifying information and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith on the alleged perpetrator in person as provided in § 16.1-264, and due return made to the court. However, if the order is issued by the circuit court, the clerk of the circuit court shall forthwith forward an attested copy of the order containing the respondent's identifying information and the name, date of birth, sex, and race of each protected person provided to the court to the primary law-enforcement agency providing service and entry of protective orders and upon receipt of the order, the primary law-enforcement agency shall enter the name of the person subject to the order and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith on the alleged perpetrator in person as provided in § 16.1-264. Upon service, the agency making service shall</p>					
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	<p>enter the date and time of service and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network and make due return to the court. The preliminary order shall specify a date for the full hearing. The hearing shall be held within 15 days of the issuance of the preliminary order, unless the hearing has been continued pursuant to this subsection or the court is closed pursuant to § 16.1-69.35 or 17.1-207 and such closure prevents the hearing from being held within such time period, in which case the hearing shall be held on the next day not a Saturday, Sunday, legal holiday, or day on which the court is lawfully closed. If such court is closed pursuant to § 16.1-69.35 or 17.1-207, the preliminary protective order shall remain in full force and effect until it is dissolved by such court, until another preliminary protective order is entered, or until a protective order is entered. If the respondent fails to appear at this hearing because the respondent was not personally served, the court may extend the protective order for a period not to exceed six months. The extended protective order shall be served as soon as possible on the respondent. However, where the respondent shows good cause, the court may continue the hearing. The preliminary order shall remain in effect until the hearing. Upon request after the order is issued, the clerk shall provide the petitioner with a copy of the order and information regarding the date and time of service. The order shall further specify that either party may at any time file a motion with the court requesting a hearing to dissolve or modify the order. The hearing on the motion shall be given precedence on the docket of the court. Upon petitioner's motion to dissolve the preliminary protective order, a dissolution order may be issued ex parte by the court with or</p>					
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<p>without a hearing. If an ex parte hearing is held, it shall be heard by the court as soon as practicable. If a dissolution order is issued ex parte, the court shall serve a copy of such dissolution order on respondent in conformity with §§ 8.01-286.1 and 8.01-296.</p> <p>Upon receipt of the return of service or other proof of service pursuant to subsection C of § 16.1-264, the clerk shall forthwith forward an attested copy of the preliminary protective order to primary law-enforcement agency and the agency shall forthwith verify and enter any modification as necessary into the Virginia Criminal Information Network as described above. If the order is later dissolved or modified, a copy of the dissolution or modification order shall also be attested, forwarded forthwith to the primary law-enforcement agency responsible for service and entry of protective orders, and upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the identifying information and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network as described above and the order shall be served forthwith and due return made to the court.</p> <p>C. The preliminary order is effective upon personal service on the alleged perpetrator. Except as otherwise provided, a violation of the order shall constitute contempt of court.</p> <p>E. No fees shall be charged for filing or serving petitions pursuant to this section.</p> <p><u>Va. Code Ann. § 19.2-152.10 (D), (G), (J)</u> <u>Protective order</u></p> <p>D. A copy of the protective order shall be served on the respondent and provided to the petitioner</p>					
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	<p>as soon as possible. The court, including a circuit court if the circuit court issued the order, shall forthwith, but in all cases no later than the end of the business day on which the order was issued, enter and transfer electronically to the Virginia Criminal Information Network the respondent's identifying information and the name, date of birth, sex, and race of each protected person provided to the court and shall forthwith forward the attested copy of the protective order and containing any such identifying information to the primary law-enforcement agency responsible for service and entry of protective orders. Upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the identifying information and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith upon the respondent and due return made to the court. Upon service, the agency making service shall enter the date and time of service and other appropriate information required into the Virginia Criminal Information Network and make due return to the court. If the order is later dissolved or modified, a copy of the dissolution or modification order shall also be attested, forwarded forthwith to the primary law-enforcement agency responsible for service and entry of protective orders, and upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the identifying information and other appropriate information required by the Department of State Police into the Virginia Criminal Information</p>					
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	<p>Network as described above and the order shall be served forthwith and due return made to the court.</p> <p>G. Any judgment, order or decree, whether permanent or temporary, issued by a court of appropriate jurisdiction in another state, the United States or any of its territories, possessions or Commonwealths, the District of Columbia or by any tribal court of appropriate jurisdiction for the purpose of preventing violent or threatening acts or harassment against or contact or communication with or physical proximity to another person, including any of the conditions specified in subsection A, shall be accorded full faith and credit and enforced in the Commonwealth as if it were an order of the Commonwealth, provided reasonable notice and opportunity to be heard were given by the issuing jurisdiction to the person against whom the order is sought to be enforced sufficient to protect such person's due process rights and consistent with federal law. A person entitled to protection under such a foreign order may file the order in any appropriate district court by filing with the court, an attested or exemplified copy of the order. Upon such a filing, the clerk shall forthwith forward an attested copy of the order to the primary law-enforcement agency responsible for service and entry of protective orders which shall, upon receipt, enter the name of the person subject to the order and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52. Where practical, the court may transfer information electronically to the Virginia Criminal Information Network.</p>					
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<p>J. No fees shall be charged for filing or serving petitions pursuant to this section.</p> <p><u>Va. Code Ann. § 16.1-279.1(C), (F)</u> <u>Protective order in cases of family abuse</u></p> <p>C. A copy of the protective order shall be served on the respondent and provided to the petitioner as soon as possible. The court, including a circuit court if the circuit court issued the order, shall forthwith, but in all cases no later than the end of the business day on which the order was issued, enter and transfer electronically to the Virginia Criminal Information Network the respondent's identifying information and the name, date of birth, sex, and race of each protected person provided to the court and shall forthwith forward the attested copy of the protective order containing any such identifying information to the primary law-enforcement agency responsible for service and entry of protective orders. Upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the identifying information and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith upon the respondent and due return made to the court. Upon service, the agency making service shall enter the date and time of service and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network and make due return to the court. If the order is later dissolved or modified, a copy of the dissolution or modification order shall also be attested, forwarded forthwith to the primary law-</p>					
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<p>enforcement agency responsible for service and entry of protective orders, and upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the identifying information and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network as described above and the order shall be served forthwith and due return made to the court.</p> <p>F. Any judgment, order or decree, whether permanent or temporary, issued by a court of appropriate jurisdiction in another state, the United States or any of its territories, possessions or Commonwealths, the District of Columbia or by any tribal court of appropriate jurisdiction for the purpose of preventing violent or threatening acts or harassment against or contact or communication with or physical proximity to another person, including any of the conditions specified in subsection A, shall be accorded full faith and credit and enforced in the Commonwealth as if it were an order of the Commonwealth, provided reasonable notice and opportunity to be heard were given by the issuing jurisdiction to the person against whom the order is sought to be enforced sufficient to protect such person's due process rights and consistent with federal law. A person entitled to protection under such a foreign order may file the order in any juvenile and domestic relations district court by filing with the court an attested or exemplified copy of the order. Upon such a filing, the clerk shall forthwith forward an attested copy of the order to the primary law-enforcement agency responsible for service and entry of protective orders which shall, upon receipt, enter the name of the person subject to the order and other appropriate information</p>						
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	<p>required by the Department of State Police into the Virginia Criminal Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52. Where practical, the court may transfer information electronically to the Virginia Criminal Information Network.</p> <p>Upon inquiry by any law-enforcement agency of the Commonwealth, the clerk shall make a copy available of any foreign order filed with that court. A law-enforcement officer may, in the performance of his duties, rely upon a copy of a foreign protective order or other suitable evidence which has been provided to him by any source and may also rely upon the statement of any person protected by the order that the order remains in effect.</p> <p>J. No fee shall be charged for filing or serving any petition or order pursuant to this section.</p>					
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<p>U.S. VIRGIN ISLANDS</p> <p>Domestic Violence Protection Order</p> <p>Temporary Restraining Order</p> <p>Extreme Risk Protection Order</p> <p>16 V.I.C. § 96</p> <p>16 V.I.C. § 98</p> <p>19 V.I.C. § 1104</p> <p>V.I. R. Civ. P. Rule 4</p>	<p><u>16 V.I.C. § 96(e)-(f) Complaints</u></p> <p>(e) Summons and complaint forms shall be readily available at the Clerk's Office of the Family Division of the Superior Court.</p> <p>(f) All pleadings, process, and other orders filed pursuant to this chapter shall be served upon the defendant in accordance with the rules of the court. If personal service cannot be effected upon the defendant, the court may order other appropriate substitute service.</p> <p><u>16 V.I.C. § 98(c) Emergency relief</u></p> <p>(c) An Order granting emergency relief shall immediately be forwarded to the Virgin Islands marshal and probation officer of the Superior Court for immediate service upon the defendant. Notice of the Order for emergency relief shall also be sent to the appropriate Chief of Police.</p> <p><u>19 V.I.C. § 1104</u></p> <p>(c) A copy of the notice of hearing and petition must be served upon the respondent in accordance with the rules for service of process as provided in rule 4 of the Virgin Islands Rules of Civil Procedure. Service issued pursuant to this section takes precedence over the service of other documents unless the other documents are of a similar emergency nature.</p> <p><u>V.I. R. Civ. P. Rule 4</u></p> <p>(c) Service.</p> <p>(1) In General. A summons must be served with a copy of the complaint. The plaintiff is responsible for having the summons and complaint served within the time allowed by Rule 4(n) and must furnish the necessary copies to the person who makes service.</p> <p>(2) By Whom. Any person who is at least 18 years old and not a party may serve a summons and complaint.</p>	<p>Delivery of a copy of the complaint is necessary</p> <p>A court may order an alternative method of service if due diligence has been used in attempting to serve the respondent, or if the alternative method would satisfy due process requirements.</p>	120 Days	Oral/short form notification is unsatisfactory	Statute is silent	Any party who is at least 18 years old and not a party to the case may serve.
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	<p>(3) By a Marshal or Someone Specially Appointed. At the plaintiff's request, the court may order that service be made by a Virgin Islands Marshal or deputy marshal or by a person specially appointed by the court. The court must so order if the plaintiff is authorized to proceed in forma pauperis under Title 4, Section 513 of the Virgin Islands Code.</p> <p>(d) Third-Party Actions. Unless the court orders differently, a third-party or fourth-party complaint shall be served in the same manner as a complaint.</p> <p>(e) Serving an Individual Within the Virgin Islands. Unless law of the Virgin Islands provides otherwise, an individual -- other than a minor, an incompetent person, or a person whose waiver has been filed -- may be served in the Virgin Islands by doing any of the following:</p> <ul style="list-style-type: none"> (1) delivering a copy of the summons and the complaint to the individual personally; (2) leaving a copy of the summons and complaint at the individual's dwelling or usual place of abode with someone of suitable age and discretion who resides there; or (3) delivering a copy of the summons and complaint to an agent authorized by appointment or by law to receive service of process; or (4) completing service in another manner approved by order of the court in the pending case upon a showing: <ul style="list-style-type: none"> (A) that plaintiff has exercised due diligence in attempts to complete service using the methods provided in subparts (e)(1) to (e)(3) of this Rule but specific circumstances have made these efforts ineffectual in completing service upon one or more defendants; and (B) that alternative methods to be specified by order of the court will provide protections 					
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	<p>calculated to afford proper notice to the defendant(s) involved, and will comport with the requirements of Due Process.</p> <p>(n) Time Limit for Service. If a defendant is not served within 120 days after the complaint is filed, the court -- on motion or on its own after notice to the plaintiff -- must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period. This subpart (n) does not apply to service in a foreign country under Rule 4(f), 4(h)(2), or 4(k)(1).</p>					
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<p>WASHINGTON</p> <p>Domestic Violence Order for Protection</p> <p>Wash. Rev. Code Ann. § 7.105.150</p> <p>Rev. Code Wash. (ARCW) § 7.105.155</p> <p>Wash. Rev. Code Ann. § 7.105.160</p> <p>Wash. Rev. Code Ann. § 7.105.165</p> <p>Wash. Rev. Code Ann. § 7.105.175</p>	<p>Wash. Rev. Code Ann. § 7.105.150 Service — Methods of service.</p> <p>(1) To minimize delays and the need for more hearings, which can hinder access to justice and undermine judicial economy, to lessen costs, to guarantee actual notice to the respondent, and to simplify and modernize processes for petitioners, respondents, law enforcement, and the courts, the following methods of service are authorized for protection order proceedings, including petitions, temporary protection orders, reissuances of temporary protection orders, full protection orders, motions to renew protection orders, and motions to modify or terminate protection orders.</p> <p>(a)</p> <p>(i) Except as provided in (a)(iii) and (b)(i) of this subsection, personal service, consistent with court rules for civil proceedings, is required in: (A) Cases requiring the surrender of firearms, such as extreme risk protection orders and protection orders with orders to surrender and prohibit weapons; (b) cases that involve transferring the custody of a child or children from the respondent to the petitioner; (c) cases involving vacating the respondent from the parties' shared residence; (d) cases involving a respondent who is incarcerated; and (E) cases where a petition for a vulnerable adult protection order is filed by someone other than the vulnerable adult.</p> <p>(ii) Personal service in cases specified in (a)(i)(A) through (D) of this subsection must be made by law enforcement including, at a minimum, two timely attempts at personal service. To reduce risk of harm for cases requiring personal service, law enforcement should continue to attempt personal service up to the hearing date. Personal service for</p>	<p>Personal service is required in cases requiring the surrender of firearms, cases involving transferring the custody of a child, cases involving vacating the respondent from the parties' shared residence, cases involving an incarcerated respondent, and cases where a petition for a vulnerable adult protection order is filed by someone other than the adult. At least two timely attempts are required in the first four scenarios.</p> <p>After two unsuccessful attempts at personal service, service shall be permitted by electronic means.</p> <p>Service by mail is permitted when (i) personal service is required but there have been two unsuccessful</p>	<p>=</p> <p>Where personal service is required, the first attempt at service must occur within 24 hours of receiving the order from the court whenever practicable, but not more than five days after receiving the order.</p> <p>If service cannot be completed within 10 calendar days, the law enforcement officer shall notify the petitioner.</p> <p>Unless waived by the nonmoving party, service must be completed on the nonmoving party not less than five judicial days before the hearing date.</p>	<p>Statute is silent.</p>	<p>For cases requiring personal service, after two unsuccessful attempts at personal service, service shall be permitted by electronic means.</p> <p>In other cases, i.e., not requiring personal service. Service by electronic means, including service by email, text message, social media applications, or other technologies, must be prioritized for all orders at the time of the issuance of temporary protection orders.</p> <p>Verification of notice is required and may be accomplished through read-receipt mechanisms, a response, a sworn statement from the person who effected service verifying transmission and any follow-up communications such as email or telephone contact used to further</p>	<p>Personal service in cases requiring the surrender of firearms, cases involving transferring the custody of a child, cases involving vacating the respondent from the parties' shared residence, cases involving an incarcerated respondent must be made by law enforcement.</p> <p>Personal service in cases where a petition for a vulnerable adult protection order is filed by someone other than the adult must be made by law enforcement unless the petitioner elects to have the respondent served by a third party who is not a party to the action, is 18 years of age or older and competent to be a witness, and can provide sworn proof of service to the court as required.</p> <p>Service by electronic means must be made by a law enforcement agency, unless the</p>
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	<p>cases specified in (a)(i)(E) of this subsection and when used for other protection order cases must be made by law enforcement unless the petitioner elects to have the respondent served by a third party who is not a party to the action, is 18 years of age or older and competent to be a witness, and can provide sworn proof of service to the court as required.</p> <p>(iii) In cases where personal service is required under this subsection, after two unsuccessful attempts at personal service, service shall be permitted by electronic means in accordance with (b) of this subsection.</p> <p>(b)</p> <p>(i) Service by electronic means, including service by email, text message, social media applications, or other technologies, must be prioritized for all orders at the time of the issuance of temporary protection orders, except in cases where personal service is required under (a) of this subsection. For cases specified in (a)(i)(A) through (D) of this subsection, once firearms and concealed pistol licenses have been surrendered and verified by the court, or there is evidence the respondent does not possess firearms, the restrained party has been vacated from the shared residence, or the custody of the child or children has been transferred, per court order, or the respondent is no longer incarcerated, then subsequent motions and orders may be served electronically.</p> <p>(ii) Service by electronic means must be made by a law enforcement agency, unless the petitioner elects to have the respondent served by any person who is not a party to the action, is 18 years of age or older and competent to be a witness, and can provide</p>	<p>attempts, (ii) personal service is not required and there have been two unsuccessful attempts at personal or electronic service.</p> <p>Service by publication is permitted only in those cases where all other means of service have been unsuccessful or are not possible due to lack of any known physical or electronic address of the respondent.</p> <p>If the circumstances for service by publication are satisfied and the petitioner files an affidavit stating facts from which the court determines service by mail will be as effective as service by publication, then the respondent can be served by mail.</p>			<p>verify, or an appearance by the respondent at a hearing.</p>	<p>petitioner elects to have the respondent served by any person who is not a party to the action, is 18 years of age or older and competent to be a witness, and can provide sworn proof of service to the court as required.</p> <p>Service by mail must be made by any person who is not a party to the action and is 18 years of age or older and competent to be a witness, by mailing copies of the materials to be served to the party to be served at the party's last known address or any other address determined by the court to be appropriate.</p>
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	<p>sworn proof of service to the court as required. Court authorization permitting electronic service is not required except in cases specified in (a)(i)(A) through (D) of this subsection. In those cases, either request of the petitioner, or good cause for granting an order for electronic service, such as two failed attempts at personal service, are required to authorize service by electronic means. No formal motion is necessary.</p> <p>(iii) The respondent's email address, number for text messaging, and username or other identification on social media applications and other technologies, if known or available, must be provided by the petitioner to law enforcement in the confidential information form, and attested to by the petitioner as being the legitimate, current, or last known contact information for the respondent.</p> <p>(iv) Electronic service must be effected by transmitting copies of the petition and any supporting materials filed with the petition, notice of hearing, and any orders, or relevant materials for motions, to the respondent at the respondent's electronic address or the respondent's electronic account associated with email, text messaging, social media applications, or other technologies. Verification of notice is required and may be accomplished through read-receipt mechanisms, a response, a sworn statement from the person who effected service verifying transmission and any follow-up communications such as email or telephone contact used to further verify, or an appearance by the respondent at a hearing. Sworn proof of service must be filed with the court by the person who effected service.</p> <p>(c) Service by mail is permitted when: (i)</p>					
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	<p>Personal service was required, there have been two unsuccessful attempts at personal service, and electronic service is not possible; or (ii) personal service is not required and there have been two unsuccessful attempts at personal or electronic service. If electronic service and personal service are not successful, the court shall affirmatively order service by mail without requiring additional motions to be filed by the petitioner. Service by mail must be made by any person who is not a party to the action and is 18 years of age or older and competent to be a witness, by mailing copies of the materials to be served to the party to be served at the party's last known address or any other address determined by the court to be appropriate. Two copies must be mailed, postage prepaid, one by ordinary first-class mail and the other by a form of mail requiring a tracking or certified information showing when and where it was delivered. The envelopes must bear the return address where the petitioner may receive legal mail. Service is complete 10 calendar days after the mailing of two copies as prescribed in this section. Where service by mail is provided by a third party, the clerk shall forward proof of service by mail to the law enforcement agency in the county or municipality where the respondent resides.</p> <p>(d) Service by publication is permitted only in those cases where all other means of service have been unsuccessful or are not possible due to lack of any known physical or electronic address of the respondent. Publication must be made in a newspaper of general circulation in the county where the petition was brought and in the county of the last known address of the respondent once a week for three consecutive weeks. The newspaper selected must be one of the three most widely</p>					
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	<p>circulated papers in the county. The publication of summons must not be made until the court orders service by publication under this section. Service of the summons is considered complete on the date of the third publication when publication has been made for three consecutive weeks. The summons must be signed by the petitioner. The summons must contain the date of the first publication, and shall require the respondent upon whom service by publication is desired to appear and answer the petition on the date set for the hearing. The summons must also contain a brief statement of the reason for the petition and a summary of the provisions under the temporary protection order. The summons must be essentially in the following form:</p> <p>In the court of the state of Washington for the county of , , , Petitioner, , vs., , No. , Respondent, , The state of Washington to (respondent):, , You are hereby summoned to appear on the day of , (year), at a.m./p.m., and respond to the petition. If you fail to respond, a protection order will be issued against you pursuant to the provisions of chapter 7.105 RCW, for a minimum of one year from the date you are required to appear. A temporary protection order has been issued against you, restraining you from the following: (Insert a brief statement of the provisions of the temporary protection order). A copy of the petition, notice of hearing, and temporary protection order has been filed with the clerk of this court., , , , , , Petitioner</p> <p>(2) The court may authorize multiple methods of</p>					
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	<p>service permitted by this section and may consider use of any address determined by the court to be appropriate in order to authorize service that is reasonably probable to provide actual notice. The court shall favor speedy and cost-effective methods of service to promote prompt and accessible resolution of the merits of the petition.</p> <p>(3) To promote judicial economy and reduce delays, for respondents who are able to be served electronically, the respondent, or the parent or guardian of the respondent for respondents under the age of 18 or the guardian or conservator of an adult respondent, shall be required to provide his or her electronic address or electronic account associated with an email, text messaging, social media application, or other technology by filing the confidential party information form referred to in RCW 7.105.115(1). This must occur at the earliest point at which the respondent, parent, guardian, or conservator is in contact with the court so that electronic service can be effected for all subsequent motions, orders, and hearings.</p> <p>(4) If an order entered by the court recites that the respondent appeared before the court, either in person or remotely, the necessity for further service is waived and proof of service of that order is not necessary, including in cases where the respondent leaves the hearing before a final ruling is issued or signed. The court's order, entered after a hearing, need not be served on a respondent who fails to appear before the court for the hearing, if material terms of the order have not changed from those contained in the temporary order, and it is shown to the court's satisfaction that the respondent has previously been served with the temporary order.</p> <p>(5) When the respondent for a protection order is under the age of 18 or is an individual subject to a</p>					
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	<p>guardianship or conservatorship under Title 11 RCW:</p> <p>(a) When the respondent is a minor, service of a petition for a protection order, modification, or renewal, shall be completed, as defined in this chapter, upon both the respondent and the respondent's parent or legal guardian.</p> <p>(b) A copy of the protection order must be served on a parent, guardian, or conservator of the respondent at any address where the respondent resides, or the department of children, youth, and families in the case where the respondent is the subject of a dependency or court approved out-of-home placement. A minor respondent shall not be served at the minor respondent's school unless no other address for service is known.</p> <p>(c) For extreme risk protection orders, the court shall also provide a parent, guardian, or conservator of the respondent with written notice of the legal obligation to safely secure any firearm on the premises and the potential for criminal prosecution if a prohibited person were to obtain access to any firearm. This notice may be provided at the time the parent, guardian, or conservator of the respondent appears in court or may be served along with a copy of the order, whichever occurs first.</p> <p>(6) When a petition for a vulnerable adult protection order is filed by someone other than the vulnerable adult, notice of the petition and hearing must be personally served upon the vulnerable adult. In addition to copies of all pleadings filed by the petitioner, the petitioner shall provide a written notice to the vulnerable adult using a standard notice form developed by the administrative office of the courts. The standard notice form must be designed to explain to the vulnerable adult in clear, plain language the purpose and nature of the petition</p>					
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<p>and that the vulnerable adult has the right to participate in the hearing and to either support or object to the petition.</p> <p>(7) The court shall not dismiss, over the objection of a petitioner, a petition for a protection order or a motion to renew a protection order based on the inability of law enforcement or the petitioner to serve the respondent, unless the court determines that all available methods of service have been attempted unsuccessfully or are not possible.</p> <p><u>Rev. Code Wash. (ARCW) § 7.105.155. Service – Completion by law enforcement officer.</u></p> <p>When service is to be completed under this chapter by a law enforcement officer:</p> <p>(1) The clerk of the court shall have a copy of any order issued under this chapter, the confidential information form, as well as the petition for a protection order and any supporting materials, electronically forwarded on or before the next judicial day to the law enforcement agency in the county or municipality where the respondent resides, as specified in the order, for service upon the respondent. If the respondent has moved from that county or municipality and personal service is not required, the law enforcement agency specified in the order may serve the order;</p> <p>(2) Service of an order issued under this chapter must take precedence over the service of other documents by law enforcement unless they are of a similar emergency nature;</p> <p>(3) Where personal service is required, the first attempt at service must occur within 24 hours of receiving the order from the court unless an emergency situation renders the service infeasible. If an emergency situation prevents a first attempt at service within 24 hours, law enforcement must attempt service as soon as</p>						
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	<p>possible. If the first attempt is not successful, no fewer than two additional attempts should be made to serve the order, particularly for respondents who present heightened risk of lethality or other risk of physical harm to the petitioner or petitioner's family or household members. All attempts at service must be documented on a proof of service form and submitted to the court in a timely manner;</p> <p>(4) If service cannot be completed within 10 calendar days, the law enforcement officer shall notify the petitioner. The petitioner shall provide information sufficient to permit notification. Law enforcement shall continue to attempt to complete service unless otherwise directed by the court. In the event that the petitioner does not provide a service address for the respondent or there is evidence that the respondent is evading service, the law enforcement officer shall use law enforcement databases to assist in locating the respondent;</p> <p>(5) If the respondent is in a protected person's presence at the time of contact for service, the law enforcement officer should take reasonable steps to separate the parties when possible prior to completing the service or inquiring about or collecting firearms. When the order requires the respondent to vacate the parties' shared residence, law enforcement shall take reasonable steps to ensure that the respondent has left the premises and is on notice that the respondent's return is a violation of the terms of the order. The law enforcement officer shall provide the respondent with copies of all forms with the exception of the confidential information form completed by the protected party and the proof of service form;</p> <p>(6) Any law enforcement officer who serves a protection order on a respondent with the knowledge that the respondent requires special</p>					
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<p>assistance due to a disability, brain injury, or impairment shall make a reasonable effort to accommodate the needs of the respondent to the extent practicable without compromise to the safety of the petitioner;</p> <p>(7) Proof of service must be submitted to the court on the proof of service form. The form must include the date and time of service and each document that was served in order for the service to be complete, along with any details such as conduct at the time of service, threats, or avoidance of service, as well as statements regarding possession of firearms, including any denials of ownership despite positive purchase history, active concealed pistol license, or sworn statements in the petition that allege the respondent's access to, or possession of, firearms; or</p> <p>(8) If attempts at service were not successful, the proof of service form or the form letter showing that the order was not served, and stating the reason it was not served, must be returned to the court by the next judicial day following the last unsuccessful attempt at service. Each attempt at service must be noted and reflected in computer aided dispatch records, with the date, time, address, and reason service was not completed.</p> <p><u>Wash. Rev. Code Ann. § 7.105.160 Service – Materials.</u></p> <p>The following materials must be served, depending on the type of relief sought.</p> <p>(1) If the petitioner is seeking a hearing on a petition for a protection order, the respondent must be served with the petition for a protection order, any supporting declarations or other materials, the notice of hearing, any temporary protection order issued by the court, any temporary order to surrender and prohibit weapons issued by the court, and a blank</p>					
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<p>confidential party information form as referred to in RCW 7.105.115(1). The respondent shall confirm with the court during his or her first appearance all necessary contact and identifying information, and file the form with the court.</p> <p>(2) If the petitioner is seeking the renewal or reissuance of a protection order, the respondent must be served with the motion to renew or reissue the protection order, any supporting declarations or other materials, and the notice of hearing.</p> <p>(3) If either party is seeking to modify or terminate a protection order, the other party must be served with the motion to modify or terminate the protection order, any supporting declarations or other materials, and the notice of hearing.</p> <p>(4) For any other motion filed by a party with the court, the other party must be served with all materials the moving party submitted to the court and with any notice of hearing issued by the court related to the motion.</p> <p><u>Wash. Rev. Code Ann. § 7.105.165 Service – Timing.</u></p> <p>(1) Unless waived by the nonmoving party, service must be completed on the nonmoving party not less than five judicial days before the hearing date. If service cannot be made, the court shall set a new hearing date and shall either require an additional attempt at obtaining service or permit service by other means authorized in this chapter. The court shall not require more than two attempts at obtaining service before permitting service by other means authorized in this chapter unless the moving party requests additional time to attempt service.</p> <p>(2) Service is completed on the day the respondent is served personally, on the date of</p>					
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<p>transmission for electronic service, on the 10th calendar day after mailing for service by mail, or on the date of the third publication when publication has been made for three consecutive weeks for service by publication.</p> <p>(3) If the nonmoving party was served before the hearing, but less than five judicial days before the hearing, it is not necessary to re-serve materials that the nonmoving party already received, but any new notice of hearing and reissued order must be served on the nonmoving party. This additional service may be made by mail as an alternative to other authorized methods of service under this chapter. If done by mail, this additional service is considered completed on the third calendar day after mailing.</p> <p>(4) Where electronic service was not complete because there was no verification of notice, and service by mail or publication has been authorized, copies must also be sent by electronic means to any known electronic addresses.</p> <p><u>Wash. Rev. Code Ann. § 7.105.175. Service – Development of best practices.</u></p> <p>Courts and law enforcement agencies shall adopt rules, protocols, and pattern forms to standardize and implement best practices for service, including mechanisms and verification options for electronic service and electronic returns of service, as well as best practices for efficient transmission of court documents to law enforcement for entry into criminal justice databases and returns of service or property.</p>						
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<p>WEST VIRGINIA</p> <p>Protective Order (DV)</p> <p>W. Va. Code § 48-27-311</p> <p>W. Va. Code § 48-28-3</p> <p>W. Va. Code § 48-28-4</p>	<p><u>W. Va. Code § 48-27-311</u> <u>Service of process</u> A protective order may be served: (1) On the respondent by means of a Class I legal advertisement published notice, with the publication area being the most current known county in which the respondent resides, published in accordance with the provisions of section two [§ 59-3-2], article three, chapter fifty-nine of this code if personal service by law enforcement has been unsuccessful. Simultaneously with the publication, the respondent shall be served with the protective order and the order of publication by first class mail to the respondent's most current known residential address. (2) Against nonresident persons by the manner prescribed in section thirty-three-a [§ 56-3-33a], article three, chapter fifty-six of this code. Any protective order issued by the court of this state which is served in compliance with the provisions of Rule 4(f) of the West Virginia Rules of Civil Procedure served outside the boundaries of this state shall carry the same force and effect as if it had been personally served within this state's boundaries.</p> <p><u>W. Va. Code § 48-28-3(d)(4)</u> <u>Judicial enforcement of order</u> (d) A foreign protection order is valid if it: (4) Was issued after the respondent was given reasonable notice and had an opportunity to be heard before the tribunal issued the order or, in the case of an order ex parte, the respondent was given notice and has had or will have an opportunity to be heard within a reasonable time after the order was issued in a manner consistent with the respondent's rights to due process of law.</p>	<p>Orders may be served by personal service. If personal service has failed, the respondent can be served by simultaneous publication and first-class mail.</p>	<p>Statute is silent.</p>	<p>Statute is silent.</p>	<p>Statute is silent.</p>	<p>Statute is silent.</p>
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	<p><u>W. Va. Code § 48-28-4(c)</u> <u>Nonjudicial enforcement of order</u> (c) If a law-enforcement officer of this State determines that an otherwise valid foreign protection order cannot be enforced because the respondent has not been notified of or served with the order, the officer shall inform the respondent of the order, make a reasonable effort to serve the order upon the respondent and allow the respondent a reasonable opportunity to comply with the order before enforcing the order.</p>					
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<p>WISCONSIN</p> <p>Domestic Abuse Injunction</p> <p>Wis. Stat. Ann. § 813.12</p>	<p><u>Wis. Stat. Ann. § 813.12(2)(a), (6)(a)(ag) Domestic abuse restraining orders and injunctions.</u></p> <p>(2) Commencement of action and response.</p> <p>(a) No action under this section may be commenced by complaint and summons. An action under this section may be commenced only by a petition described under sub. (5) (a). The action commences with service of the petition upon the respondent if a copy of the petition is filed before service or promptly after service. If the judge or a circuit court commissioner extends the time for a hearing under sub. (3) (c) and the petitioner files an affidavit with the court stating that personal service by the sheriff or a private server under s. 801.11 (1) (a) or (b) was unsuccessful because the respondent is avoiding service by concealment or otherwise, the judge or circuit court commissioner shall inform the petitioner that he or she may serve the respondent by publication of a summary of the petition as a class 1 notice, under ch. 985, and by mailing or sending a facsimile if the respondent's post-office address or facsimile number is known or can with due diligence be ascertained. The mailing or sending of a facsimile may be omitted if the post-office address or facsimile number cannot be ascertained with due diligence. A summary of the petition published as a class 1 notice shall include the name of the respondent and of the petitioner, notice of the temporary restraining order, and notice of the date, time, and place of the hearing regarding the injunction. The court shall inform the petitioner in writing that, if the petitioner chooses to have the documents in the action served by the sheriff, the petitioner should contact the sheriff to verify the proof of service of the petition.</p>	<p>Petitions may be served personally. If the petitioner files an affidavit stating that personal service has been unsuccessful, the court may allow service by simultaneous publication and mail.</p>	<p>Statute is silent.</p>	<p>Statute is silent.</p>	<p>Statute is silent.</p>	<p>Sheriff, private process server</p>
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	<p>(6) Enforcement assistance.</p> <p>(a) If an order is issued under this section, upon request by the petitioner the court or circuit court commissioner shall order the sheriff to accompany the petitioner and assist in placing him or her in physical possession of his or her residence.</p> <p>(ag)</p> <p>1. The clerk of the circuit court shall forward to the sheriff any temporary restraining order, injunction, or other document or notice that must be served on the respondent under this section and the sheriff shall assist the petitioner in executing or serving the temporary restraining order, injunction, or other document or notice on the respondent. The petitioner may, at his or her expense, elect to use a private server to effect service.</p> <p>2. If the petitioner elects service by the sheriff, the clerk of circuit court shall provide a form supplied by the sheriff to the petitioner that allows the petitioner to provide information about the respondent that may be useful to the sheriff in effecting service. The clerk shall forward the completed form to the sheriff. The clerk shall maintain the form provided under this subdivision in a confidential manner.</p>					
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WYOMING	<p><u>Wyo. Stat. Ann. § 35-21-104(a)</u> <u>Temporary order of protection; setting hearing.</u> (a) Upon the filing of a petition for order of protection, the court shall:</p> <p>(i) Immediately grant an ex parte temporary order of protection if it appears from the specific facts shown by the affidavit or by the petition that there exists a danger of further domestic abuse;</p> <p>(ii) Cause the temporary order of protection, together with notice of hearing, to be served on the alleged perpetrator of the domestic abuse immediately, either within or outside of this state;</p> <p>(iii) Hold a hearing on the petition within seventy-two (72) hours after the granting of the temporary order of protection or as soon thereafter as the petition may be heard by the court on the question of continuing the order; or</p> <p>(iv) If an ex parte order is not granted, serve notice to appear upon the parties and hold a hearing on the petition for order of protection within seventy-two (72) hours after the filing of the petition or as soon thereafter as the petition may be heard by the court.</p> <p><u>Wyo. Stat. Ann. § 35-21-106(a)</u> <u>Service of order; duration and extension of order; violation; remedies not exclusive.</u> (a) An order of protection granted under W.S. 35-21-105 shall be filed with the clerk of court and a copy shall be sent by the clerk to the county sheriff who shall, after service, notify the local law enforcement agency within the county in which the petitioner resides. The order shall be personally served upon the respondent, unless the respondent or the respondent's attorney was</p>	Orders must be personally served unless the respondent or their attorney were present at the time the order was issued.	Statute is silent.	Statute is silent.	Statute is silent.	Statute is silent.
Domestic Violence Order of Protection						
Wyo. Stat. Ann. § 35-21-104						
Wyo. Stat. Ann. § 35-21-106						
Wyo. Stat. Ann. § 35-21-109						

	<p>present in person or by remote means at the time the order was granted.</p> <p><u>Wyo. Stat. Ann. § 35-21-109(c)</u> <u>Full faith and credit for valid foreign protection orders; affirmative defense; exclusion.</u> (c) A valid protection order shall be accorded full faith and credit by the courts of this state and enforced as if it were issued in this state.</p>					
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