

Domestic Violence Implementation Lab

Interjurisdictional Service in Indiana

A Resource from the
Pandemic Rapid Response Team

August 2022



	Ex Parte Protective Order (Temporary/Emergency)	Final Protective Order
Statute	Indiana Code 34-26-5	
Terminology	Ex Parte Order	Final Order
Length of Order	Up to 30 days after petition submission	Up to 2 years after date of issuance, unless otherwise ordered by the court
Available Relief	<ul style="list-style-type: none"> Prohibits threats to commit or committing acts of domestic or family violence Prohibits harassing, annoying, telephoning, contacting, or directly or indirectly communicating with a petitioner. Orders respondent to stay away from the residence, school, or place of employment of the petitioner, or other specified place Grants the petitioner the exclusive possession, care, custody, or control of any animal (owned, possessed, kept, or cared for) Grants the petitioner the possession and use of the residence, an automobile, telephone number/services, and other essential personal effects 	<p>In addition to relief provided by an ex parte order:</p> <ul style="list-style-type: none"> Orders respondent to pay: Attorney fees; rent/mortgage; child support /other financial support; expenses related to abuse (i.e. medical costs, counseling, shelter, repair/replacement of property); and costs related to GPS tracking device Establishes temporary arrangements for parenting time Prohibits the respondent from possessing a firearm, ammunition, or a deadly weapon specified by the court Other relief deemed necessary to provide safety and welfare

Protected Parties	<ul style="list-style-type: none"> • A family/household member or other person who is or has been: <ul style="list-style-type: none"> ○ A victim of domestic or family violence ○ A victim of stalking ○ A victim of a sex offense or a child victim of grooming ○ Subjected to harassment
Requirements for Service	<ul style="list-style-type: none"> • Court provides the order to the county sheriff for service and electronically notifies each law enforcement agency • Clerk processes the order to add it to the Indiana protective order registry and Indiana Data and Communication System (IDACS)
Registration Required for Enforcement	<ul style="list-style-type: none"> • Not required • Petitioner may register by bringing the protective order to the court
Military Jurisdictions	<p>Military Bases:</p> <ul style="list-style-type: none"> • 122 FW • 181 IW • Naval Support Activity Crane • USAREC (Indianapolis Battalion) <p>Processes on Military Jurisdictions: Contact the individual military jurisdiction for service process details.</p>
Tribal Jurisdictions	<p>Federally Recognized Tribe: Pokagon Band of Potawatomi Indians (Michigan and Indiana)</p> <p>Processes on Tribal Jurisdictions: Contact the individual tribal jurisdiction for service process details.</p>
Other Information	<p>Petitions based on harassment cannot be granted an ex parte order. These petitions must be set for a hearing and can only be granted an order after the hearing.</p>

Out of State Service Fees¹:

None

For more information, please contact State Point of Contact Melissa Arvin (melissa.arvin@courts.in.gov).

If you would like to provide suggestions/feedback on this Profile, visit:
https://ncsc2.iad1.qualtrics.com/jfe/form/SV_eQzzYCcGK38Q64C

¹ Courts should not charge a victim of domestic violence, dating violence, stalking, or sexual assault any costs associated with the filing, issuance, registration, or service of protection orders, whether issued by civil or criminal courts, including intra- and inter-jurisdictional orders. This no-cost provision also applies to any fees or costs associated with a criminal matter related to domestic violence, stalking, dating violence, and sexual assault (42 U.S.C. § 3796 hh(c)(4)). Charging any of these costs will render a jurisdiction ineligible for certain VAWA funds.