

# Interjurisdictional Service in Nebraska

A Resource from the  
Pandemic Rapid Response Team

December 2022



	Ex Parte Protective Order (Temporary/Emergency)	Final Protective Order
Statute	Nebraska Revised Statutes § <a href="#">42-924 through 42-940</a>	
Terminology	Temporary Ex Parte Protection Order	Final Protection Order
Length of Order	Up to 30 days after respondent is served.	Up to 1 year.
Available Relief	<p>Order the defendant to:</p> <ul style="list-style-type: none"> <li>• Refrain from restraining the protected party</li> <li>• Refrain from threatening, assaulting, molesting, attacking, or otherwise disturbing the protected party</li> <li>• Refrain from telephoning, contacting, or otherwise communicating with the protected party</li> <li>• Leave the protected party’s residence (regardless of ownership)</li> <li>• Stay away from any place ordered by the court</li> <li>• Refrain from possessing or purchasing firearms</li> </ul> <p>Grant the protected party:</p> <ul style="list-style-type: none"> <li>• Temporary custody of children (up to 90 days)</li> </ul> <p>Other relief necessary to provide safety for the protected party and any designated family / household members</p>	
Protected Parties	<ul style="list-style-type: none"> <li>• Spouse/former spouse</li> <li>• Child</li> <li>• Currently or formerly living together</li> <li>• Persons with child in common</li> <li>• Related by consanguinity or affinity Parent</li> <li>• Currently or formerly in a dating relationship</li> </ul>	

Requirements for Service	<ul style="list-style-type: none"> <li>• The clerk of court will send the order to the local law enforcement agencies and local sheriff's offices where the petitioner and respondent reside.</li> <li>• The local sheriff will personally serve the order on the respondent.</li> <li>• The local sheriff will complete a return of service and send it to the court.</li> </ul>
Registration Required for Enforcement	Not required.
<a href="#">Military Jurisdictions</a>	<p>Military Bases:</p> <ul style="list-style-type: none"> <li>• 155 ARW</li> <li>• Offutt AFB</li> </ul> <p>Processes on Military Jurisdictions: Contact the individual military jurisdiction for service process details.</p>
<a href="#">Tribal Jurisdictions</a>	<p>Federally Recognized Tribe:</p> <ul style="list-style-type: none"> <li>• Iowa Tribe of Kansas and Nebraska</li> <li>• Omaha Tribe of Nebraska</li> <li>• Ponca Tribe of Nebraska</li> <li>• Sac &amp; Fox Nation of Missouri (Kansas and Nebraska)</li> <li>• Santee Sioux Nation</li> <li>• Winnebago Tribe of Nebraska</li> </ul> <p>State Recognized Tribes: None</p> <p>Processes on Tribal Jurisdictions: Contact the individual tribal jurisdiction for service process details.</p>

Other Information	<p>In addition, Nebraska has:</p> <ul style="list-style-type: none"> <li>• Harassment Protection Orders: <ul style="list-style-type: none"> <li>○ Not dependent on a certain relationship type</li> <li>○ Requires multiple contacts that seriously terrify, threaten, or intimidate the victim for no legitimate purpose</li> </ul> </li> <li>• Sexual Assault Orders: <ul style="list-style-type: none"> <li>○ Not dependent on a certain relationship type</li> <li>○ Requires a person to subject or attempt to subject another person to sexual contact or sexual penetration without consent</li> </ul> </li> </ul> <p>Available relief includes ordering the respondent to:</p> <ul style="list-style-type: none"> <li>• Refrain from restraining the protected party</li> <li>• Refrain from threatening, assaulting, molesting, attacking, or otherwise disturbing the protected party</li> <li>• Refrain from telephoning, contacting, or otherwise communicating with the protected party</li> </ul>
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### Out of State Service Fees<sup>1</sup>:

None

For more information, please contact State Point of Contact Mike Nehe (michael.nehe@nebraska.gov).

If you would like to provide suggestions/feedback on this Profile, visit:  
[https://ncsc2.iad1.qualtrics.com/jfe/form/SV\\_eQzzYCcgK38Q64C](https://ncsc2.iad1.qualtrics.com/jfe/form/SV_eQzzYCcgK38Q64C)

<sup>1</sup> 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.