

Interjurisdictional Service in Illinois

A Resource from the
Pandemic Rapid Response Team

December 2022



	Ex Parte Protective Order (Temporary/Emergency)	Final Protective Order
Statute	750 Illinois Compiled Statutes § 60	
Terminology	Emergency Order of Protection Interim Order of Protection	Plenary Order of Protection
Length of Order	<i>Emergency Order:</i> Up to 21 days after petition is submitted and may be continued by court order thereafter <i>Interim Order:</i> Up to 30 days after the petition is submitted.	Up to 2 years.
Available Relief	<i>Emergency Order:</i> Order the respondent to: <ul style="list-style-type: none"> • Refrain from harassing, interfering, intimidating, abusing, stalking, or willfully depriving, neglecting or exploiting the protected parties • Leave the residence • Stay away from/avoid entering the protected parties’ residence, school, workplace, or other frequented locations • Refrain from removing or concealing children • Appear in court • Refrain from taking, transferring, encumbering, concealing, damaging or otherwise disposing of any real or personal property 	In addition to relief available in an emergency or interim order: Order the respondent to: <ul style="list-style-type: none"> • Attend counseling • Pay spousal/child support • Pay costs associated with the abuse The court may also: <ul style="list-style-type: none"> • Establish custody and visitation rights

<p>Available Relief (cont'd)</p>	<ul style="list-style-type: none"> • Surrender firearms, ammunition, permits, etc. <p>Grant the protected parties:</p> <ul style="list-style-type: none"> • Possession of the residence • Possession and/or the return of personal property <p>The court may also:</p> <ul style="list-style-type: none"> • Deny the respondent access to information on the protected parties' location • Other relief as ordered by the court <p><i>Interim Order:</i></p> <p>The court may:</p> <ul style="list-style-type: none"> • Order the respondent to pay for shelter services for the protected parties • Establish temporary custody of children or pets • Other relief as ordered by the court 	
<p>Protected Parties</p>	<ul style="list-style-type: none"> • Current or former spouse • Parents/foster/adoptive parents • Children/stepchildren • Related by blood or marriage • Currently or formerly reside together • Have a child/children in common • Currently or formerly in a dating/engagement relationship • Caregiver-client relationships 	

Requirements for Service	<ul style="list-style-type: none"> • The court will send the order to law enforcement on the same day it is issued. • Law enforcement will serve the order to the respondent. • Law enforcement will file a return of service. • If the respondent is in law enforcement custody, local law enforcement will notify the Departments of Corrections or Juvenile Justice within 48 hours of receipt. <ul style="list-style-type: none"> ◦ Service on the respondent while in custody may be a short form notification rather than all the documentation. • If a respondent appears remotely in a separate court case (e.g., an unrelated traffic case), service may be made via short form notification by reading the notification to the respondent during the remote proceeding. • If the petitioner requests, the clerk may also send the order to schools, child care facilities, healthcare facilities, etc.
Registration Required for Enforcement	Not required.
Military Jurisdictions	<p>Military Bases:</p> <ul style="list-style-type: none"> • 126 ARW • 182 AW • 183 Wing • Naval Station Great Lakes • Rock Island Arsenal • Scott Air Force Base • US Army Cadet Command 3rd Brigade • USAREC, Chicago Battalion <p>Processes on Military Jurisdictions: Contact the individual military jurisdiction for service process details.</p>
Tribal Jurisdictions	<p>Federally Recognized Tribe: None</p> <p>State Recognized Tribes: None</p>

Other Information	Per Public Act 102-853 , all Illinois courts must allow petitioners to file (for protection orders, stalking no contact orders, or civil no contact orders) either in-person or online. Counties with a population of above 250,000 may offer an option of remote hearings.
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Out of State Service Fees¹:

None

For more information, please contact State Point of Contact Heather Dorsey (hdorsey@illinoiscourts.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.