

## FULL FAITH AND CREDIT

Most validly-issued protective orders receive "Full Faith and Credit." Full Faith and Credit means that if the Defendant was served with a Protective Order from any state or tribe, that Order should be enforceable in any other state or tribe. (Arizona does not require registration or domestication of out of state or tribal Protective Orders.)

## GUNS AND PROTECTIVE ORDERS

It might be a federal crime for the Defendant to possess firearms or ammunition. This means that if a Protective Order was upheld after a hearing in which the Defendant had an opportunity to participate, the Defendant may not possess firearms or ammunition while the Order is in effect.

INFO

Case #:

Date order was served  
on defendant:

Non-emergency  
police department #:

NOTES

## RESOURCES

**ARIZONA COALITION TO END SEXUAL  
& DOMESTIC VIOLENCE  
LEGAL ADVOCACY HOTLINE**  
P 1(800)782-6400 • TTY (602) 279-7270  
[WWW.ACESDV.ORG/LEGAL-ADVOCACY-HOTLINE/](http://WWW.ACESDV.ORG/LEGAL-ADVOCACY-HOTLINE/)

**NATIONAL DOMESTIC VIOLENCE HOTLINE**  
P 1(800)799-7233 • TTY 1(800) 787-3224  
[WWW.THEHOTLINE.ORG](http://WWW.THEHOTLINE.ORG)

**SEXUAL & DOMESTIC VIOLENCE PROGRAMS  
& SAFETY PLANNING**  
[WWW.ACESDV.ORG/LEGAL-ADVOCACY-HOTLINE/](http://WWW.ACESDV.ORG/LEGAL-ADVOCACY-HOTLINE/)

**PRIVATE PROCESS SERVERS**  
[HTTP://ARIZONAPROCESSSERVERS.ORG](http://ARIZONAPROCESSSERVERS.ORG)  
[HTTP://AACPSERVERS.ORG/INDEX.HTML](http://AACPSERVERS.ORG/INDEX.HTML)

**FOR NATIONWIDE LEGAL INFORMATION**  
[WWW.WOMENSLAW.ORG](http://WWW.WOMENSLAW.ORG)

**TO APPLY FOR LEGAL SERVICES IN ARIZONA**  
[HTTP://WWW.AZLAWHELP.ORG](http://WWW.AZLAWHELP.ORG)

**ARIZONA RULES OF PROTECTIVE ORDER  
PROCEDURE (ARPOP)**  
[HTTPS://GOVT.WESTLAW.COM/AZRULES](https://GOVT.WESTLAW.COM/AZRULES)

**ARIZONA REVISED STATUTES**  
[WWW.AZLEG.GOV/ARIZONAREVISEDSTATUTES.ASP](http://WWW.AZLEG.GOV/ARIZONAREVISEDSTATUTES.ASP)

**NATIONAL CENTER ON PROTECTION ORDERS  
AND FULL FAITH AND CREDIT**  
[WWW.FULLFAITHANDCREDIT.ORG/](http://WWW.FULLFAITHANDCREDIT.ORG/)



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# WHAT YOU NEED TO KNOW AFTER GETTING A PROTECTIVE ORDER

TYPES

Order of Protection

Injunction Against  
Harassment

Injunction Against  
Workplace Harassment



2800 N. Central Ave., Suite 1570 • Phoenix, AZ 85004  
(602) 279-2900 • 1(800) 782-6400 • TTD/TTY: (602) 279-7270  
[info@acesdv.org](mailto:info@acesdv.org) [www.acesdv.org](http://www.acesdv.org)

## **THE COURT GRANTED MY PROTECTIVE ORDER, WHAT DO I DO NOW?**

- The Order must be served on the Defendant (the person you are seeking protection from).
- A Protective Order is only valid and enforceable once it has been served.

## **HOW DO I SERVE THE DEFENDANT WITH MY PROTECTIVE ORDER?**

Only a Law Enforcement agency or a registered process server can serve a Protective Order.

## **IS THERE A FEE TO HAVE MY ORDER SERVED?**

Although a fee is charged to serve an Injunction Against Harassment or an Injunction Against Workplace Harassment, a law enforcement officer will serve an Order of Protection at no cost to you. Keep in mind that if you decide to have the Protective Order served by a privately registered process server, he or she will charge a fee.

## **HOW WILL I KNOW WHEN MY ORDER IS SERVED?**

Once the Defendant is served, the process server or law enforcement agency will file a certificate or affidavit of service with the court to prove that the Defendant was served.

## **WHERE IS MY PROTECTIVE ORDER VALID AND ENFORCEABLE?**

Any Protective Order that is issued by a state, tribal, or territorial court and served on the Defendant is enforceable by any other state, tribal, or territorial court. You should keep a copy of the Protective Order on your person at all times, even when traveling.

## **HOW LONG IS MY PROTECTIVE ORDER VALID?**

If the Order is not served within the year, it will expire. Provided the order is properly served on the Defendant, it is valid for one year from the date of service.

## **CAN THE DEFENDANT CHALLENGE THE PROTECTIVE ORDER?**

The Defendant has the right to challenge the Order if he/she disagrees with it and can do so by requesting a hearing in the same court that issued the Order. The request can be made at any time while the order is in effect and will be held within 5-10 business days after the written request has been made. The court will contact you, possibly by phone, when the hearing is scheduled. Make sure the court has a good contact number for you.

## **WHAT HAPPENS AT THE HEARING?**

Both the Plaintiff and the Defendant are given an opportunity to tell his or her side of the story. As Plaintiff, you will probably present your case first. When you do, you will:

- Be sworn in to testify
- Take the witness stand
- Present your evidence

## **HOW DO I PREPARE IF THE DEFENDANT REQUESTS A HEARING?**

- Gather all evidence that will support the statements made in your Petition. Types of evidence may include: witnesses, police reports, medical records, telephone calls, conversations, text messages, email messages, instant messages, social media communication, pictures, video or audio recordings, or any other supporting evidence.
- Each individual piece of evidence is called an exhibit. After you have gathered your evidence, you might want to make a list of your exhibits for reference during the hearing. Put the title "Exhibit List" at the top of the page and list each exhibit in order of importance, as you will have a limited amount of time during the hearing.
- Make 3 copies of each exhibit and your Exhibit List, and bring them with you to the hearing.
- You can ask the court staff if a sheriff's deputy can be in the courtroom during the hearing or can escort you out of court when the hearing is over.

## **CAN I MAKE ANY CHANGES TO MY PROTECTIVE ORDER?**

You, as Plaintiff, can request that the court modify the Protective Order any time during the term of the Order.

## **HOW DO I MODIFY MY PROTECTIVE ORDER?**

To modify your Protective Order, go to the same court that granted the Order and complete the appropriate paperwork. You must provide identification to court personnel to complete the paperwork. If the Defendant has been served with the original Protective Order but has not requested a hearing, you will be required to appear before a Judge to explain why you want to modify the Order. If a modification is requested after a hearing has been held on the original Order, a new hearing will be set and you must give (serve) notice of the hearing to the Defendant.

## **WHAT IF I DO NOT ATTEND THE HEARING?**

If you, as the Plaintiff, fail to go to the hearing, the court may dismiss the Protective Order.

## **WHAT ARE MY OPTIONS IF THE DEFENDANT VIOLATES THE PROTECTIVE ORDER?**

A violation of the Protective Order could result in an arrest of the Defendant and/or prosecution for violation of A.R.S. § 13-2810, Interference with Judicial Proceedings, a Class 1 Misdemeanor. You can report violations of the Protective Order to your local Police Department or Sheriff's Department.

## **CAN I VIOLATE MY OWN PROTECTIVE ORDER?**

You as the Plaintiff cannot violate the order against the Defendant. The Protective Order orders the Defendant to stay away and not contact you. However, you should consider how contact with the Defendant could impact your safety.

## **CAN THE DEFENDANT OBTAIN A PROTECTIVE ORDER AGAINST ME?**

If the Defendant does not want you to contact him/her, the Defendant has the right to request a Protective Order against you. However, if the court grants the Defendant a Protective Order, it does not cancel or dismiss your current Protective Order against the Defendant.

## **I NO LONGER BELIEVE I NEED THE PROTECTIVE ORDER AS PART OF MY SAFETY PLAN, WHAT ARE MY OPTIONS?**

If you believe a Protective Order is no longer needed, you can request the Court to dismiss the Order at any time during the term of the Order. Only a Judge can dismiss a Protective Order.

- To dismiss a Protective Order, you must go to the court that issued the Order to complete and file a motion. You will be required to provide identification to court personnel before completing the Motion to Dismiss. You will also be required to appear before a Judge and explain why you would like the Order dismissed.

➤ **FOR FURTHER INFORMATION REGARDING PROTECTIVE ORDERS YOU MAY ACCESS A COMPLETE VERSION OF THE FACT SHEET ON PROTECTIVE ORDERS AT [ACESDV.ORG](https://acesdv.org)**