

INSTRUCTIONS FOR REGISTERING AN OUT-OF-STATE OR TRIBAL COURT PROTECTION ORDER IN NORTH DAKOTA DISTRICT COURT

IMPORTANT! READ BEFORE USING THIS PACKET

ND Legal Self Help Center staff and court employees cannot help you fill out the form(s). If you are unsure how to proceed, need legal advice or legal representation, you should consult a lawyer licensed to practice in North Dakota.

You may wish to contact CAWS North Dakota, a nonprofit organization that represents 20 domestic violence and sexual assault crisis intervention centers throughout North Dakota. CAWS may have information or resources available to assist you.

CAWS North Dakota
525 N 4th Street
Bismarck, ND 58501
(701) 255-6240
(888) 255-6240
www.cawsnorthdakota.org

To protect your rights, carefully read this information and any instructions to which you are referred.

You may go to court without a lawyer, but you will have to abide by the state or federal laws that apply to your case, the appropriate court rules, including North Dakota Rules of Civil Procedure, North Dakota Rules of Court, North Dakota Administrative Rules and Orders, and any local court rules. Links to the rules and state laws can be found at www.ndcourts.gov.

These instructions and forms are not a complete statement of the law. They cover basic procedure for registering an out-of-state or tribal court protection order in North Dakota District Court pursuant to [North Dakota Century Code Chapter 14-07.4](#). There is no guarantee that all judges and courts will accept forms available through the ND Legal Self Help Center. Use at your own risk.

[Chapter 14-07.4 of the North Dakota Century Code](#) governs enforcement of out-of-state or tribal court protection orders.

[Rule 7.2 of the North Dakota Rules of Court](#) relates to recognition of tribal court orders and judgments.

Who Should Use this Packet?

An individual who has a domestic violence or family violence protection order from another state or tribal court **AND**:

- The individual wants to register the protection order in North Dakota for enforcement;
- The out-of-state or tribal court protective order is currently in effect; and
- The individual can get a certified copy of the out-of-state or tribal court protection order.

Any individual may register the order. However, the affidavit must be signed and notarized by the individual protected by the domestic violence or family violence protection order from another state or tribal court.

Definitions:

Foreign Protection Order – a domestic violence or family violence protection order issued by a court of another state.

Petitioner – the individual protected by the domestic violence or family violence protection order from another state or tribal court.

Respondent – the individual against whom enforcement of a foreign protection order is sought.

State – a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, and an Indian tribe or band that has the jurisdiction to issue protection orders.

STEP 1: PREPARE THE AFFIDAVIT FOR REGISTRATION OF OUT-OF-STATE OR TRIBAL COURT PROTECTION ORDER

The form is available at the North Dakota Legal Self Help Center website at www.ndcourts.gov/ndlshc. The form may also be available at the clerk of court's office of your local North Dakota District Court.

The affidavit must be signed and notarized by the individual protected by the domestic violence or family violence protection order from another state or tribal court.

The affidavit must not be signed until you are in the presence of a notary public or clerk of court. Your signature on the affidavit is not valid unless a notary public or clerk of court witnesses you sign the affidavit. You will need to show a driver's license or other photo identification card so the notary public or clerk of court can verify your identity.

You must have a certified copy of the protection order you wish to register. If you do not have a certified copy, contact the court that issued the protection order to get a certified copy.

STEP 2: PREPARE THE CONFIDENTIAL INFORMATION FORM.

The form is available at the North Dakota Legal Self Help Center website at www.ndcourts.gov/ndlshc. The form may also be available at the clerk of court's office of your local North Dakota District Court.

Certain information in court records is required to remain confidential. Confidential information includes:

- Social security numbers
- Taxpayer identification numbers
- Birthdates
- Full name of a minor child
- Financial-account numbers

The documents filed with the court must include only:

- The last four (4) digits of the social security number and taxpayer identification number
- The year of birth
- The minor child's initials
- The last four (4) digits of the financial-account number

STEP 3: FILE THE AFFIDAVIT, THE CONFIDENTIAL INFORMATION FORM AND THE CERTIFIED COPY OF THE PROTECTION ORDER WITH THE CLERK OF COURT.

1. Take the following documents to the Clerk of Court's Office:
 - Affidavit for Registration of Out-of-State or Tribal Court Protection Order
 - Confidential Information Form
 - Certified copy of your out-of-state or tribal court protection order
2. You will not be asked to pay a filing fee.

What to expect after the affidavit and certified copy of your out-of-state or tribal court protection order are filed:

The Clerk will provide you with a certified copy of the Registered Order, at no cost. The order information will be electronically transmitted to Law Enforcement.