

Instructions for Registering an Out-Of-State or Tribal Court Protection Order in North Dakota State District Court

Important! Read Before Using These Forms.

ND Legal Self Help Center staff and Court employees **can't** help you fill out forms. If you're unsure if these forms and instructions suit your circumstances, consult a lawyer.

ND Legal Self Help Center forms **aren't** official court forms. Judges and courts **aren't** required to accept Center forms. There's no guarantee Center forms will be accepted. **Use at your own risk.**

If you need legal advice or legal representation, consult a lawyer licensed to practice in North Dakota. Go to ndcourts.gov/legal-self-help/finding-a-lawyer for information about finding a lawyer to represent you.

Contact the North Dakota Domestic & Sexual Violence Coalition for information about domestic violence/sexual assault victim advocacy centers across North Dakota staffed with professionals who can help you with safety planning, finding shelter, getting a protection order, and more.

North Dakota Domestic & Sexual Violence Coalition
521 E Main Ave, Suite 320; Bismarck, ND 58501
(701) 255-6240, Ext. 1016; or (888) 255-6240
nddsvc.org/FIND-HELP

When you represent yourself, you're expected to know and follow the law, including:

- State or federal laws that apply to your case;
- Case law, also called court opinions, that applies to your case; and
- Court rules that apply to your case, which may include:
 - North Dakota Rules of Civil Procedure;
 - North Dakota Rules of Court;
 - North Dakota Rules of Evidence;
 - North Dakota Administrative Rules and Orders; and
 - Any local court rules.

Links to the state laws, case law, and court rules are available at ndcourts.gov.

A glossary with definitions of legal terms is available at ndcourts.gov/legal-self-help.

When you represent yourself, you're held to the same requirements and responsibilities as a lawyer, even if you don't understand the rules or procedures.

*These instructions and forms **aren't** a complete statement of the law. They cover the basic procedure for registering an out-of-state or tribal court protection order in a North Dakota state district court. If the forms don't fit your circumstances, consult a lawyer. There's no guarantee all judges and courts will accept forms available through the ND Legal Self Help Center. The Center isn't responsible for any consequences that result from the forms or information. **Use at your own risk.***

[Chapter 14-07.4 of the North Dakota Century Code](#) governs registration and enforcement of out-of-state court 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 May Use this Packet?

An individual who has a protection order issued by an out-of-state court or tribal court and the individual wants to register the protection order in North Dakota for enforcement.

A **certified copy** of the out-of-state court or tribal court protection order is required for registration.

The out-of-state court or tribal court protection order must meet **all of the following requirements:**

- The protection order identifies the protected person(s) and the Respondent (the person the order is against);
- The protection order is currently in effect and hasn't expired;
- The protection order was issued by a court that had jurisdiction over the protected person(s), the Respondent, and the matter under the law of the issuing state or tribe;
and
- The protection order was issued after the Respondent had reasonable notice and an opportunity to be heard before the order was issued – **or** if the protection order was issued ex-parte (without notice), the Respondent was given notice and has had or will have an opportunity to be heard within a reasonable time after the final protective order is issued.

Any individual may register the order. However, the Affidavit must be signed by the individual protected by the out-of-state court or tribal court protection order.

North Dakota Domestic & Sexual Violence Coalition

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Definitions

Foreign Protection Order – a protection order issued by a tribunal of another state.

Judge – An elected government official with the authority to hear and decide cases in North Dakota State District Courts.

Judicial Referee – A judicial officer, appointed by the presiding District Court Judge, who has the authority to hear and decide Domestic Violence Protection Order cases. The findings and order of the Judicial Referee have the effect of the findings and order of a District Court Judge until replaced by a written order of a District Court Judge.

Petitioner/Protected Individual – the individual protected by the out-of-state court or tribal court protection order.

Protection Order – an injunction or other order, issued by a tribunal under the domestic violence or family violence laws of the issuing state, to prevent an individual from engaging in violent or threatening acts against, harassment of, contact or communication with, or physical proximity to another individual. The term includes an injunction or other order issued under the anti-stalking laws of the issuing state.

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.

Tribunal – a court, agency, or other entity authorized by law to issue or modify a protection order.

Lawyer Resources & Limited Legal Representation

You're not required to hire a lawyer to register an out-of-state court or tribal court protection order. If you decide to represent yourself, you must follow all of the rules, laws, and procedures a lawyer is required to follow.

Go to ndcourts.gov/legal-self-help/finding-a-lawyer for more information about how to find a lawyer.

Lawyer Resources

If you want to find a lawyer to represent you, you may find the following options of interest.

- **Legal Services of North Dakota** is a non-profit organization, providing free legal assistance to North Dakota residents in a variety of matters based on income. Legal Services of North Dakota can also determine whether an applicant meets the income requirements for the Volunteer Lawyers program that offers low-cost legal assistance based on income. The phone number is (800) 634-5263 and the website is lsnd.org.
- The **State Bar Association of North Dakota** provides a lawyer referral service to match paying clients in need of legal services with lawyers. The phone number is (866) 450-9579 and the website is sband.org. The cost is \$30.00 for a 30 minute consultation with a lawyer.
- **Dakota Plains Legal Services** is a non-profit legal services organization that provides free legal assistance to low-income individuals, older Americans and veterans. Dakota Plains Legal Services (DPLS) has eight offices and serves communities across South Dakota and North Dakota, including nine tribal nations. DPLS is committed to increasing access to justice with quality legal assistance. Contact information is available on the DPLS webpage of dpls.org.
- For a list of all lawyers who are licensed to practice in North Dakota, go to the North Dakota Supreme Court website at ndcourts.gov/Lawyers.

Limited Legal Representation

Lawyers licensed to practice in North Dakota may provide Limited Legal Representation in civil cases. Limited Legal Representation (sometimes called “unbundling”) is a way a lawyer can help you with part of your case while you do the rest of your case. You pay for the part of the case the lawyer handled.

For example:

- You may want a lawyer to give you an expert opinion about your options, or your legal rights and responsibilities;
- You can consult with a lawyer to prepare or review your legal documents, but attend hearings yourself;
- You can represent yourself through the whole case, and periodically consult with a lawyer who can coach you on the law, procedures and strategy;
- You can do the preparation yourself and hire a lawyer just to make court appearances for you.

You and the lawyer must agree in writing to Limited Legal Representation.

North Dakota Free Legal Answers

This civil legal program is a partnership of the American Bar Association and the State Bar Association of North Dakota.

The purpose of the program is to provide free answers to **specific** civil legal question to low-moderate income North Dakotans who submit their questions online. Anonymous volunteer attorneys answer your question, but can't represent you.

Go to nd.freelegalanswers.org or information about the program, the online application, and, if you qualify, ask your civil legal question.

This program **doesn't** provide any assistance with criminal legal questions.

Step 1: Get a Certified Copy of the Out-Of-State or Tribal Court Protection Order

You **must have a certified copy** of the out-of-state court or tribal court protection order you want to register.

If you don't have a certified copy, contact the out-of-state court or tribal court that issued the protection order and get a certified copy.

Step 2: Complete the Affidavit for Registration of Out-Of-State or Tribal Court Protection Order

The Affidavit **must be completed and signed by the individual protected** by the out-of-state court or tribal court protection order.

Caption (Top of Form):

- ☐ Fill in the North Dakota County name and Judicial District where you, the Petitioner, intend to register the protection order. The County is within the Judicial District.
 - County and Judicial District maps are available at ndcourts.gov/court-locations.
 - If you don't know the name of the Judicial District, leave it blank.
- ☐ Leave Case No. blank. The case number is filled in by the Clerk of District Court in Step 4.
- ☐ You, the individual protected by the out-of-state court or tribal court protection order, are the Petitioner. Fill in your full name.
- ☐ The Respondent is the individual against whom enforcement of the out-of-state court or tribal court protection order is sought. Fill in the Respondent's full name.

Paragraph 1:

- ☐ You, the Petitioner, fill in your full name.

Paragraph 2:

- ☐ Read carefully. If this isn't true, you can't use this form set.

Paragraph 3:

- ☐ Fill in your address.

Paragraph 4:

- ☐ Fill in your **year** of birth **only**.
 - You put your full birth date in the Confidential Information Form in Step 3.

Paragraph 5:

- ☐ Put a checkmark (✓) in the box that is true for you, the Petitioner.
 - If you choose the 2nd checkbox, list each additional person protected in the protection order, along with their age and relationship to you. **If a person is a minor child** (under 18 years old), list **only** their initials.
 - You put any minor child's full name in the Confidential Information Form in Step 3.

Paragraph 6:

- ☐ Fill in the full name of the Respondent – the individual from whom you're protected by the protection order.
- ☐ Fill in as much information as you can about the Respondent.
 - You **must** fill in the Respondent's gender and race. If you don't fill in the Respondent's gender and race, the protection order can't be transmitted to the FBI.
 - The FBI only accepts Asian, Black, White, or Unknown for race.
 - You put the Respondent's full birthdate, full social security number, driver's license number, and/or license plate number in the Confidential Information Form in Step 3.

Paragraph 7:

- ☐ Fill in the name and address of the court that issued the foreign protection order you want to register.

Paragraph 8:

- ☐ If you **don't have a certified copy of the protection order** you want to register, you can't use this form set.

Paragraph 9:

☐ Put a checkmark (✓) in the box that is true for your situation.

Paragraphs 10 through 12:

☐ Read carefully. If any of the statements in Paragraphs 10 through 12 aren't accurate for you or your situation, you can't use this form set.

Date and Signature:

When you date and sign the Affidavit, you're declaring, under penalty of perjury, that all of the information in the Affidavit is accurate and true.

You're **not** required to sign this Affidavit in the presence of a notary public or a clerk of court.

- ☐ Fill in the date you sign the Affidavit **and** the location where you sign the Affidavit.
- ☐ Sign the Affidavit.
- ☐ Complete the lines following your signature.

Step 3: Complete the Confidential Information Form

Certain information in documents filed with the court is required to remain confidential.

Confidential information includes:

- Social security numbers
- Birthdates
- Full name of a minor child (under 18 years old)
- Financial-account numbers

The documents filed with the court must include **only**:

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

The district court still needs to have access to the full confidential information. The Confidential Information Form includes the full confidential information that can't appear in your Affidavit.

Caption (Top of Form):

☐ Fill in the caption exactly as you filled in the caption of your Affidavit in Step 2.

Full Information Column:

- ☐ Fill in the full information for you, the Respondent, and all additional protected persons listed in the protection order you want to register. This must match Paragraphs 1, 5, and 6 of your completed Affidavit.

Redacted Information Column:

- ☐ Fill in the information as it appears in your Affidavit.

Date and Signature:

- ☐ Fill in the date you, the Petitioner, sign the Confidential Information Form.
- ☐ Sign the Confidential Information Form.
- ☐ Complete the lines following your signature.

Step 4: File the Affidavit, the Confidential Information Form and the Certified Copy of the Protection Order with the Clerk of District Court

Take the following documents to the Clerk of District Court's office:

- Affidavit for Registration of Out-of-State or Tribal Court Protection Order (original)
- Confidential Information Form (original)
- Certified copy of your out-of-state or tribal court protection order

You, or someone else on your behalf, may take the registration documents to the Clerk of District Court's office.

A filing fee **isn't** required for registering an out-of-state court or tribal court protection order.

What to Expect After the Affidavit and Certified Copy of Your Out-Of-State or Tribal Court Protection Order are Filed:

After a certified copy of a foreign (out-of-state or tribal court) protection order is registered, the Clerk of District Court transmits a copy of the order to the appropriate law enforcement agency.

The Clerk provides you with a certified copy of the registered protection order at no cost.

State of North Dakota

In District Court

County of _____

_____ Judicial District
(If unknown, leave blank)

Petitioner,)
vs)

Respondent.)
)

Case No. _____
(filled in by Clerk of District Court)

**Affidavit For Registration of
Out-Of-State or Tribal Court
Protection Order**

1. My name is _____ and I

understand that in answering the following questions, I must tell the truth.

2. I am the person protected by the attached protection order.

3. My address is:

4. My year of birth is _____. My full date of birth is included in the Confidential Information Form filed with this Affidavit.

5. (Choose one)

☐ No other people are protected by the attached protection order.

or

☐ The following people are protected by the attached protection order (for each person, list the name, age and relationship to you. If the person is a minor child (under 18 years old), list only the child's initials):

6. The name of the Respondent *(the person you need to be protected from in the attached order)*:

_____.

Description of the Respondent *(fill in as much information as you can)*:

**Required Field*

*Gender: <input type="checkbox"/> M <input type="checkbox"/> F		*Race: <input type="checkbox"/> Asian <input type="checkbox"/> Indian <input type="checkbox"/> Black <input type="checkbox"/> White <input type="checkbox"/> Unknown		
Height: _____	Weight: _____	Hair Color: _____	Eye Color: _____	Age: _____
Address <i>(If known)</i> : _____				
City: _____		State: _____	Zip: _____	
Phone #'s _____				
Email: _____				
Relationship to protected person: _____				

At Least One of the Following is Required:

Year of Birth: _____	Last 4 Digits of Social Security Number: _____
<input type="checkbox"/> Driver's License Number <i>(If known, put a ✓ in the box)</i>	
<input type="checkbox"/> License Plate Number <i>(If known, put a ✓ in the box)</i>	
<i>(The Respondent's date of birth, social security number, driver's license number and/or license plate number are included in the Confidential Information Form filed with this Affidavit.)</i>	

7. The attached protection order was issued by *(name and address of out-of-state court or tribal court)*:

8. A certified copy of the protection order is filed with this Affidavit.

9. *(Choose one. Paragraph 9 continues on next page)*

☐ To the best of my knowledge, the Respondent was given notice and had an opportunity to be heard before the court that made the attached protection order.

or

☐ The attached protection order was issued ex parte, without the Respondent first having the chance to respond. To the best of my knowledge, the Respondent was given notice and has had or will have an opportunity to be heard within a reasonable time after issuance of this attached order.

10. To the best of my knowledge, the attached protection order is currently valid and in full force and effect.

11. I ask that the attached order be registered with this court for enforcement and entry into the North Dakota Criminal Justice Information Sharing (ND-CJIS) system.

12. I declare, under penalty of perjury under the law of North Dakota, that everything I stated in this Affidavit is true and correct.

Signed on _____ (date) in _____ (city),
_____ (county), _____ (state), _____ (country).

(Petitioner's Signature)

(Petitioner's Printed Name)

(Petitioner's Address)

(City, State, Zip Code)

(Petitioner's Telephone Number & Email Address)

County of _____

Judicial District

Case No. _____

Confidential Information Form

Full Information	Redacted Information
<p>1. Section 1: Introduction</p> <p>The purpose of this document is to provide a comprehensive overview of the project's objectives, scope, and timeline. It is intended for use by all stakeholders involved in the project.</p> <p>2. Section 2: Project Objectives</p> <p>The primary objective of the project is to develop a new software application that will streamline the company's internal processes and improve efficiency. This will be achieved through the following sub-objectives:</p> <ul style="list-style-type: none"> • To identify and analyze the current workflow and identify areas for improvement. • To design and develop a software application that meets the requirements of the business. • To test and deploy the application, ensuring it is stable and secure. <p>3. Section 3: Project Scope</p> <p>The project scope is defined by the following parameters:</p> <ul style="list-style-type: none"> • Geographic Scope: The project will be implemented across all regional offices. • Functional Scope: The application will cover the following functional areas: Sales, Marketing, Finance, and Human Resources. • Time Scope: The project is scheduled to begin on January 1, 2024, and is expected to be completed by June 30, 2024. <p>4. Section 4: Project Timeline</p> <p>The project timeline is as follows:</p> <ul style="list-style-type: none"> • Phase 1: Planning and Analysis (January - February 2024) • Phase 2: Design and Development (March - May 2024) • Phase 3: Testing and Deployment (June 2024) <p>5. Section 5: Conclusion</p> <p>This document provides a high-level overview of the project. For more detailed information, please refer to the project charter and the project plan.</p>	<p>1. Section 1: Introduction</p> <p>The purpose of this document is to provide a comprehensive overview of the project's objectives, scope, and timeline. It is intended for use by all stakeholders involved in the project.</p> <p>2. Section 2: Project Objectives</p> <p>The primary objective of the project is to develop a new software application that will streamline the company's internal processes and improve efficiency. This will be achieved through the following sub-objectives:</p> <ul style="list-style-type: none"> • To identify and analyze the current workflow and identify areas for improvement. • To design and develop a software application that meets the requirements of the business. • To test and deploy the application, ensuring it is stable and secure. <p>3. Section 3: Project Scope</p> <p>The project scope is defined by the following parameters:</p> <ul style="list-style-type: none"> • Geographic Scope: The project will be implemented across all regional offices. • Functional Scope: The application will cover the following functional areas: Sales, Marketing, Finance, and Human Resources. • Time Scope: The project is scheduled to begin on January 1, 2024, and is expected to be completed by June 30, 2024. <p>4. Section 4: Project Timeline</p> <p>The project timeline is as follows:</p> <ul style="list-style-type: none"> • Phase 1: Planning and Analysis (January - February 2024) • Phase 2: Design and Development (March - May 2024) • Phase 3: Testing and Deployment (June 2024) <p>5. Section 5: Conclusion</p> <p>This document provides a high-level overview of the project. For more detailed information, please refer to the project charter and the project plan.</p>

Name: _____

Year of Birth:

Name: _____

Year of Birth: _____

SSN Last 4 Digits: _____

(State, Expiration Date)

(State, Expiration Date)

Full Information**Redacted Information****Protected Person (Adult):**

Name: _____

Date of Birth: _____
(Month/Day/Year)

Year of Birth: _____

Protected Person (Minor Child):

Name: _____

Initials: _____

Date of Birth: _____
(Month/Day/Year)

Year of Birth: _____

Protected Person (Minor Child):

Name: _____

Initials: _____

Date of Birth: _____
(Month/Day/Year)

Year of Birth: _____

Protected Person (Minor Child):

Name: _____

Initials: _____

Date of Birth: _____
(Month/Day/Year)

Year of Birth: _____

Protected Person (Minor Child):

Name: _____

Initials: _____

Date of Birth: _____
(Month/Day/Year)

Year of Birth: _____

(Add additional protected persons on a separate sheet of paper. Don't write on back of form.)

Dated _____.

(Petitioner's Signature)_____
(Petitioner's Printed Name)_____
(Petitioner's Address)

(City, State, Zip Code)

(Petitioner's Telephone Number & Email Address)