

**TITLE 8: FAMILY LAW AND PROBATE
DIVISION 1: DOMESTIC RELATIONS**

§ 1915. Emergency Order for Protection; Available Relief; Availability of Judge; Expiration of Order.

(a) The Superior Court may issue a written or oral emergency order for protection, ex parte, when a police officer, who is investigating an allegation of domestic or family violence states to the court in person or by telephone that he or she believes an incident of domestic or family violence has occurred, and the court finds reasonable grounds to believe the petitioner is in immediate danger of domestic or family violence based on the police officer's statement.

(b) A police officer who receives an oral order for protection from the Superior Court shall:

- (1) Write and sign the order on the form required pursuant to Section 1912;
- (2) Serve a copy on the respondent;
- (3) Immediately provide the petitioner with a copy of the order; and
- (4) Provide the order to the court by the end of the next judicial day.

(c) The Court may grant the following relief in an emergency order for protection:

(1) Enjoin the respondent from threatening to commit or committing domestic or family violence against the petitioner and any designated family or household member;

(2) Prohibit the respondent from harassing, annoying, telephoning, contacting, or otherwise communicating with the petitioner, directly or indirectly;

(3) Remove and exclude the respondent from the residence of the petitioner, regardless of ownership of the residence;

(4) Order the respondent to stay away from the residence, school, place of employment of the petitioner, or any specified place frequented by the petitioner and any designated family or household member;

(5) Order possession and use of personal effects, and direct the appropriate police office to accompany the petitioner to the residence of the parties to ensure that the petitioner is safely restored to possession of the residence, or to supervise the petitioner's or respondent's removal of personal belongings;

(6) Grant temporary custody and support of a minor child or children to the petitioner;

(7) Upon the request of the petitioner, grant temporary custody and support of a minor child or children to a grandparent or grandparents or to another qualified family member; and

(8) Order such other relief as the court deems necessary to protect and provide for the safety of the petitioner and any designated family or household member.

(d) A judge with authority to issue an order for protection must be available 24 hours a day to hear petitions for emergency orders for protection.

Source: PL 12-19, § 2 (205), modified; subsection (e) deleted by PL 12-30, § 2 (2).

Commission Comment: See comment to 8 CMC § 1912 regarding PL 12-30.