

	PARADISE VALLEY POLICE GENERAL ORDER	Order Number
	Emergency Orders of Protection	74.5
		Date
		08-21-15

74.5 Emergency Orders of Protection

- A. The emergency *order of protection* is a court order that is obtained telephonically from a judge by a police *officer*. An emergency *order of protection* may provide many of the same protections as provided by an *order of protection*. An emergency *order of protection* is intended to be used in situations where a person is in immediate and present danger of *domestic violence*, based on an allegation of a recent incident of actual *domestic violence*, and the courts are closed (nights, weekends and holidays). An emergency order expires seven calendar days after issuance, unless extended by the court.
- B. Once served; the emergency *order of protection* has the same force in law as a regular *order of protection*.
- C. A person who violates an emergency *order of protection* may be subject to *arrest* for violating A.R.S. § 13-2810.

74.5.1 Procedure for Obtaining an Emergency Order of Protection

- A. If a *victim* so desires, and an *officer* has reasonable grounds to believe that the *victim* is in immediate and present danger of *domestic violence* based on the allegation of a recent incident of actual *domestic violence*, then the *officer* should draft an emergency order, including the grounds for the order and the provisions that are requested, and *shall* then contact an available judge. The *officer* should advise the judge of the grounds for the order. If the judge issues the order, the *officer* shall write the order, sign it on behalf of the judge and provide a copy to the protected party.
- B. Any emergency *order of protection* is required to be served in order to be effective, but service of an Emergency Order *may* be done in person or verbally by the *officer*. The *officer* shall document the service of the order and verbally notify the Sheriff's Department of the issuance and service of the order as soon as feasible.
- C. The original of an emergency order *shall* be filed with the court as soon as practicable after it has been issued. A notice of service *shall* also be filed with the court.
- D. If an *officer* obtaining an emergency *order of protection* cannot make service on the defendant, the *officer* shall give the protected party all copies of the order.



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Should the defendant return to contact the victim and another officer is called, that officer will then complete service on the defendant.

