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**HOUSE BILL NO. 1716**

Offered January 12, 2011

Prefiled January 10, 2011

*A BILL to amend and reenact §§ 16.1-253, 16.1-253.1, 16.1-253.4, 16.1-279.1, 19.2-152.8, 19.2-152.9, and 19.2-152.10 of the Code of Virginia, relating to protective orders.*

Patrons—Scott, J.M., Armstrong and Herring

Referred to Committee for Courts of Justice

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 16.1-253, 16.1-253.1, 16.1-253.4, 16.1-279.1, 19.2-152.8, 19.2-152.9, and 19.2-152.10 of the Code of Virginia are amended and reenacted as follows:**

§ 16.1-253. Preliminary protective order.

A. Upon the motion of any person or upon the court's own motion, the court may issue a preliminary protective order, after a hearing, if necessary to protect a child's life, health, safety or normal development pending the final determination of any matter before the court. The order may require a child's parents, guardian, legal custodian, other person standing in loco parentis or other family or household member of the child to observe reasonable conditions of behavior for a specified length of time. These conditions shall include any one or more of the following:

1. To abstain from offensive conduct against the child, a family or household member of the child or any person to whom custody of the child is awarded;

2. To cooperate in the provision of reasonable services or programs designed to protect the child's life, health or normal development;

3. To allow persons named by the court to come into the child's home at reasonable times designated by the court to visit the child or inspect the fitness of the home and to determine the physical or emotional health of the child;

4. To allow visitation with the child by persons entitled thereto, as determined by the court;

5. To refrain from acts of commission or omission which tend to endanger the child's life, health or normal development; ~~or~~

6. To refrain from such contact with the child or family or household members of the child, as the court may deem appropriate, including removal of such person from the residence of the child. However, prior to the issuance by the court of an order removing such person from the residence of the child, the petitioner must prove by a preponderance of the evidence that such person's probable future conduct would constitute a danger to the life or health of such child, and that there are no less drastic alternatives which could reasonably and adequately protect the child's life or health pending a final determination on the petition; *or*

7. *To abstain from damaging any item of personal property or harming a companion animal, as defined in § 3.2-6500.*

B. A preliminary protective order may be issued ex parte upon motion of any person or the court's own motion in any matter before the court, or upon petition. The motion or petition shall be supported by an affidavit or by sworn testimony in person before the judge or intake officer which establishes that the child would be subjected to an imminent threat to life or health to the extent that delay for the provision of an adversary hearing would be likely to result in serious or irreparable injury to the child's life or health. If an ex parte order is issued without an affidavit being presented, the court, in its order, shall state the basis upon which the order was entered, including a summary of the allegations made and the court's findings. Following the issuance of an ex parte order the court shall provide an adversary hearing to the affected parties within the shortest practicable time not to exceed five business days after the issuance of the order.

C. Prior to the hearing required by this section, notice of the hearing shall be given at least 24 hours in advance of the hearing to the guardian ad litem for the child, to the parents, guardian, legal custodian, or other person standing in loco parentis of the child, to any other family or household member of the child to whom the protective order may be directed and to the child if he or she is 12 years of age or older. The notice provided herein shall include (i) the time, date and place for the hearing and (ii) a specific statement of the factual circumstances which allegedly necessitate the issuance of a preliminary protective order.

D. All parties to the hearing shall be informed of their right to counsel pursuant to § 16.1-266.

E. At the hearing the child, his or her parents, guardian, legal custodian or other person standing in loco parentis and any other family or household member of the child to whom notice was given shall

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59 have the right to confront and cross-examine all adverse witnesses and evidence and to present evidence  
60 on their own behalf.

61 F. If a petition alleging abuse or neglect of a child has been filed, at the hearing pursuant to this  
62 section the court shall determine whether the allegations of abuse or neglect have been proven by a  
63 preponderance of the evidence. Any finding of abuse or neglect shall be stated in the court order.  
64 However, if, before such a finding is made, a person responsible for the care and custody of the child,  
65 the child's guardian ad litem or the local department of social services objects to a finding being made  
66 at the hearing, the court shall schedule an adjudicatory hearing to be held within 30 days of the date of  
67 the initial preliminary protective order hearing. The adjudicatory hearing shall be held to determine  
68 whether the allegations of abuse and neglect have been proven by a preponderance of the evidence.  
69 Parties who are present at the hearing shall be given notice of the date set for the adjudicatory hearing  
70 and parties who are not present shall be summoned as provided in § 16.1-263. The adjudicatory hearing  
71 shall be held and an order may be entered, although a party to the hearing fails to appear and is not  
72 represented by counsel, provided personal or substituted service was made on the person, or the court  
73 determines that such person cannot be found, after reasonable effort, or in the case of a person who is  
74 without the Commonwealth, the person cannot be found or his post office address cannot be ascertained  
75 after reasonable effort.

76 Any preliminary protective order issued shall remain in full force and effect pending the adjudicatory  
77 hearing.

78 G. If at the preliminary protective order hearing held pursuant to this section the court makes a  
79 finding of abuse or neglect and a preliminary protective order is issued, a dispositional hearing shall be  
80 held pursuant to § 16.1-278.2. The court shall forthwith, but in all cases no later than the end of the  
81 business day on which the order was issued, enter and transfer electronically to the Virginia Criminal  
82 Information Network the respondent's identifying information and the name, date of birth, sex, and race  
83 of each protected person provided to the court. A copy of the preliminary protective order containing  
84 any such identifying information shall be forwarded forthwith to the primary law-enforcement agency  
85 responsible for service and entry of protective orders. Upon receipt of the order by the primary  
86 law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the  
87 identifying information and other appropriate information required by the Department of State Police  
88 into the Virginia Criminal Information Network established and maintained by the Department of State  
89 Police pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith on the  
90 allegedly abusing person in person as provided in § 16.1-264 and due return made to the court.  
91 However, if the order is issued by the circuit court, the clerk of the circuit court shall forthwith forward  
92 an attested copy of the order containing the respondent's identifying information and the name, date of  
93 birth, sex, and race of each protected person provided to the court to the primary law-enforcement  
94 agency providing service and entry of protective orders and upon receipt of the order, the primary  
95 law-enforcement agency shall enter the name of the person subject to the order and other appropriate  
96 information required by the Department of State Police into the Virginia Criminal Information Network  
97 established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and  
98 the order shall be served forthwith upon the allegedly abusing person in person as provided in  
99 § 16.1-264. Upon service, the agency making service shall enter the date and time of service and other  
100 appropriate information required by the Department of State Police into the Virginia Criminal  
101 Information Network and make due return to the court. The preliminary order shall specify a date for  
102 the dispositional hearing. The dispositional hearing shall be scheduled at the time of the hearing  
103 pursuant to this section, and shall be held within 75 days of this hearing. If an adjudicatory hearing is  
104 requested pursuant to subsection F, the dispositional hearing shall nonetheless be scheduled at the  
105 hearing pursuant to this section. All parties present at the hearing shall be given notice of the date and  
106 time scheduled for the dispositional hearing; parties who are not present shall be summoned to appear as  
107 provided in § 16.1-263.

108 H. Nothing in this section enables the court to remove a child from the custody of his or her parents,  
109 guardian, legal custodian or other person standing in loco parentis, except as provided in § 16.1-278.2,  
110 and no order hereunder shall be entered against a person over whom the court does not have  
111 jurisdiction.

112 I. Neither a law-enforcement agency, the attorney for the Commonwealth, a court nor the clerk's  
113 office, nor any employee of them, may disclose, except among themselves, the residential address,  
114 telephone number, or place of employment of the person protected by the order or that of the family of  
115 such person, except to the extent that disclosure is (i) required by law or the Rules of the Supreme  
116 Court, (ii) necessary for law-enforcement purposes, or (iii) permitted by the court for good cause.

117 J. Violation of any order issued pursuant to this section shall constitute contempt of court.

118 K. The court shall forthwith, but in all cases no later than the end of the business day on which the  
119 order was issued, enter and transfer electronically to the Virginia Criminal Information Network the  
120 respondent's identifying information and the name, date of birth, sex, and race of each protected person

provided to the court. A copy of the preliminary protective order containing any such identifying information shall be forwarded forthwith to the primary law-enforcement agency responsible for service and entry of protective orders. Upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the identifying information and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith on the allegedly abusing person in person as provided in § 16.1-264 and due return made to the court. However, if the order is issued by the circuit court, the clerk of the circuit court shall forthwith forward an attested copy of the order containing the respondent's identifying information and the name, date of birth, sex, and race of each protected person provided to the court to the primary law-enforcement agency providing service and entry of protective orders and upon receipt of the order, the primary law-enforcement agency shall enter the name of the person subject to the order and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith on the allegedly abusing person in person as provided in § 16.1-264. Upon service, the agency making service shall enter the date and time of service and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network and make due return to the court. The preliminary order shall specify a date for the full hearing.

Upon receipt of the return of service or other proof of service pursuant to subsection C of § 16.1-264, the clerk shall forthwith forward an attested copy of the preliminary protective order to the primary law-enforcement agency and the agency shall forthwith verify and enter any modification as necessary into the Virginia Criminal Information Network as described above. If the order is later dissolved or modified, a copy of the dissolution or modification order shall also be attested, forwarded forthwith to the primary law-enforcement agency responsible for service and entry of protective orders, and upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the identifying information and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network as described above and the order shall be served forthwith and due return made to the court.

L. No fee shall be charged for filing or serving any petition or order pursuant to this section.

§ 16.1-253.1. Preliminary protective orders in cases of family abuse; confidentiality.

A. Upon the filing of a petition alleging that the petitioner is or has been, within a reasonable period of time, subjected to family abuse, the court may issue a preliminary protective order against an allegedly abusing person in order to protect the health and safety of the petitioner or any family or household member of the petitioner. The order may be issued in an ex parte proceeding upon good cause shown when the petition is supported by an affidavit or sworn testimony before the judge or intake officer. Immediate and present danger of family abuse or evidence sufficient to establish probable cause that family abuse has recently occurred shall constitute good cause. Evidence that the petitioner has been subjected to family abuse within a reasonable time and evidence of immediate and present danger of family abuse may be established by a showing that (i) the allegedly abusing person is incarcerated and is to be released from incarceration within 30 days following the petition or has been released from incarceration within 30 days prior to the petition, (ii) the crime for which the allegedly abusing person was convicted and incarcerated involved family abuse against the petitioner, and (iii) the allegedly abusing person has made threatening contact with the petitioner while he was incarcerated, exhibiting a renewed threat to the petitioner of family abuse.

A preliminary protective order may include any one or more of the following conditions to be imposed on the allegedly abusing person:

1. Prohibiting acts of family abuse.
2. Prohibiting such other contacts between the parties as the court deems appropriate.
3. Prohibiting such other contacts with the allegedly abused family or household member as the court deems necessary to protect the safety of such persons.
4. Granting the petitioner possession of the premises occupied by the parties to the exclusion of the allegedly abusing person; however, no such grant of possession shall affect title to any real or personal property.
5. Enjoining the respondent from terminating any necessary utility service to a premises that the petitioner has been granted possession of pursuant to subdivision 4 or, where appropriate, ordering the respondent to restore utility services to such premises.
6. Granting the petitioner temporary possession or use of a motor vehicle owned by the petitioner alone or jointly owned by the parties to the exclusion of the allegedly abusing person; however, no such grant of possession or use shall affect title to the vehicle.
7. Requiring that the allegedly abusing person provide suitable alternative housing for the petitioner

and any other family or household member and, where appropriate, requiring the respondent to pay deposits to connect or restore necessary utility services in the alternative housing provided.

8. *Enjoining the respondent from damaging any item of personal property or harming a companion animal, as defined in § 3.2-6500.*

9. Any other relief necessary for the protection of the petitioner and family or household members of the petitioner.

B. The court shall forthwith, but in all cases no later than the end of the business day on which the order was issued, enter and transfer electronically to the Virginia Criminal Information Network the respondent's identifying information and the name, date of birth, sex, and race of each protected person provided to the court. A copy of a preliminary protective order containing any such identifying information shall be forwarded forthwith to the primary law-enforcement agency responsible for service and entry of protective orders. Upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the identifying information and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith on the allegedly abusing person in person as provided in § 16.1-264 and due return made to the court. However, if the order is issued by the circuit court, the clerk of the circuit court shall forthwith forward an attested copy of the order containing the respondent's identifying information and the name, date of birth, sex, and race of each protected person provided to the court to the primary law-enforcement agency providing service and entry of protective orders and upon receipt of the order, the primary law-enforcement agency shall enter the name of the person subject to the order and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith on the allegedly abusing person in person as provided in § 16.1-264. Upon service, the agency making service shall enter the date and time of service and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network and make due return to the court. The preliminary order shall specify a date for the full hearing. The hearing shall be held within 15 days of the issuance of the preliminary order. If the respondent fails to appear at this hearing because the respondent was not personally served, or if personally served was incarcerated and not transported to the hearing, the court may extend the protective order for a period not to exceed six months. The extended protective order shall be served forthwith on the respondent. However, upon motion of the respondent and for good cause shown, the court may continue the hearing. The preliminary order shall remain in effect until the hearing. Upon request after the order is issued, the clerk shall provide the petitioner with a copy of the order and information regarding the date and time of service. The order shall further specify that either party may at any time file a motion with the court requesting a hearing to dissolve or modify the order. The hearing on the motion shall be given precedence on the docket of the court.

Upon receipt of the return of service or other proof of service pursuant to subsection C of § 16.1-264, the clerk shall forthwith forward an attested copy of the preliminary protective order to the primary law-enforcement agency, and the agency shall forthwith verify and enter any modification as necessary into the Virginia Criminal Information Network as described above. If the order is later dissolved or modified, a copy of the dissolution or modification order shall also be attested, forwarded forthwith to the primary law-enforcement agency responsible for service and entry of protective orders, and upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the identifying information and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network as described above and the order shall be served forthwith and due return made to the court.

C. The preliminary order is effective upon personal service on the allegedly abusing person. Except as otherwise provided in § 16.1-253.2, a violation of the order shall constitute contempt of court.

D. At a full hearing on the petition, the court may issue a protective order pursuant to § 16.1-279.1 if the court finds that the petitioner has proven the allegation of family abuse by a preponderance of the evidence.

E. Neither a law-enforcement agency, the attorney for the Commonwealth, a court nor the clerk's office, nor any employee of them, may disclose, except among themselves, the residential address, telephone number, or place of employment of the person protected by the order or that of the family of such person, except to the extent that disclosure is (i) required by law or the Rules of the Supreme Court, (ii) necessary for law-enforcement purposes, or (iii) permitted by the court for good cause.

F. As used in this section, "copy" includes a facsimile copy.

G. No fee shall be charged for filing or serving any petition or order pursuant to this section.

§ 16.1-253.4. Emergency protective orders authorized in certain cases; penalty.

A. Any judge of a circuit court, general district court, juvenile and domestic relations district court or magistrate may issue a written or oral ex parte emergency protective order pursuant to this section in

order to protect the health or safety of any person.

B. When a law-enforcement officer or an allegedly abused person asserts under oath to a judge or magistrate, and on that assertion or other evidence the judge or magistrate (i) finds that a warrant for a violation of § 18.2-57.2 has been issued or issues a warrant for violation of § 18.2-57.2 and finds that there is probable danger of further acts of family abuse against a family or household member by the respondent or (ii) finds that reasonable grounds exist to believe that the respondent has committed family abuse and there is probable danger of a further such offense against a family or household member by the respondent, the judge or magistrate shall issue an ex parte emergency protective order, except if the respondent is a minor, an emergency protective order shall not be required, imposing one or more of the following conditions on the respondent:

1. Prohibiting acts of family abuse;
2. Prohibiting such contacts by the respondent with family or household members of the respondent as the judge or magistrate deems necessary to protect the safety of such persons; ~~and~~
3. Granting the family or household member possession of the premises occupied by the parties to the exclusion of the respondent; however, no such grant of possession shall affect title to any real or personal property; *and*
4. *Prohibiting damaging any item of personal property or harming a companion animal, as defined in § 3.2-6500.*

When the judge or magistrate considers the issuance of an emergency protective order pursuant to clause (i) of this subsection, he shall presume that there is probable danger of further acts of family abuse against a family or household member by the respondent unless the presumption is rebutted by the allegedly abused person.

C. An emergency protective order issued pursuant to this section shall expire at 11:59 p.m. on the third day following issuance. If the expiration occurs on a day that the court is not in session, the emergency protective order shall be extended until 11:59 p.m. on the next day that the juvenile and domestic relations district court is in session. When issuing an emergency protective order under this section, the judge or magistrate shall provide the protected person or the law-enforcement officer seeking the emergency protective order with the form for use in filing petitions pursuant to § 16.1-253.1 and written information regarding protective orders that shall include the telephone numbers of domestic violence agencies and legal referral sources on a form prepared by the Supreme Court. If these forms are provided to a law-enforcement officer, the officer may provide these forms to the protected person when giving the emergency protective order to the protected person. The respondent may at any time file a motion with the court requesting a hearing to dissolve or modify the order issued hereunder. The hearing on the motion shall be given precedence on the docket of the court.

D. A law-enforcement officer may request an emergency protective order pursuant to this section and, if the person in need of protection is physically or mentally incapable of filing a petition pursuant to § 16.1-253.1 or § 16.1-279.1, may request the extension of an emergency protective order for an additional period of time not to exceed three days after expiration of the original order. The request for an emergency protective order or extension of an order may be made orally, in person or by electronic means, and the judge of a circuit court, general district court, or juvenile and domestic relations district court or a magistrate may issue an oral emergency protective order. An oral emergency protective order issued pursuant to this section shall be reduced to writing, by the law-enforcement officer requesting the order or the magistrate on a preprinted form approved and provided by the Supreme Court of Virginia. The completed form shall include a statement of the grounds for the order asserted by the officer or the allegedly abused person.

E. The court or magistrate shall forthwith, but in all cases no later than the end of the business day on which the order was issued, enter and transfer electronically to the Virginia Criminal Information Network the respondent's identifying information and the name, date of birth, sex, and race of each protected person provided to the court or magistrate. A copy of an emergency protective order issued pursuant to this section containing any such identifying information shall be forwarded forthwith to the primary law-enforcement agency responsible for service and entry of protective orders. Upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the identifying information and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith upon the respondent and due return made to the court. However, if the order is issued by the circuit court, the clerk of the circuit court shall forthwith forward an attested copy of the order containing the respondent's identifying information and the name, date of birth, sex, and race of each protected person provided to the court to the primary law-enforcement agency providing service and entry of protective orders and upon receipt of the order, the primary law-enforcement agency shall enter the name of the person subject to the order and other appropriate information required by the

305 Department of State Police into the Virginia Criminal Network established and maintained by the  
306 Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith  
307 on the respondent. Upon service, the agency making service shall enter the date and time of service and  
308 other appropriate information required by the Department of State Police into the Virginia Criminal  
309 Information Network and make due return to the court. One copy of the order shall be given to the  
310 allegedly abused person when it is issued, and one copy shall be filed with the written report required  
311 by § 19.2-81.3 C. The judge or magistrate who issues an oral order pursuant to an electronic request by  
312 a law-enforcement officer shall verify the written order to determine whether the officer who reduced it  
313 to writing accurately transcribed the contents of the oral order. The original copy shall be filed with the  
314 clerk of the juvenile and domestic relations district court within five business days of the issuance of the  
315 order. If the order is later dissolved or modified, a copy of the dissolution or modification order shall  
316 also be attested, forwarded forthwith to the primary law-enforcement agency responsible for service and  
317 entry of protective orders, and upon receipt of the order by the primary law-enforcement agency, the  
318 agency shall forthwith verify and enter any modification as necessary to the identifying information and  
319 other appropriate information required by the Department of State Police into the Virginia Criminal  
320 Information Network as described above and the order shall be served forthwith and due return made to  
321 the court. Upon request, the clerk shall provide the allegedly abused person with information regarding  
322 the date and time of service.

323 F. The availability of an emergency protective order shall not be affected by the fact that the family  
324 or household member left the premises to avoid the danger of family abuse by the respondent.

325 G. The issuance of an emergency protective order shall not be considered evidence of any  
326 wrongdoing by the respondent.

327 H. As used in this section, a "law-enforcement officer" means any (i) full-time or part-time employee  
328 of a police department or sheriff's office which is part of or administered by the Commonwealth or any  
329 political subdivision thereof and who is responsible for the prevention and detection of crime and the  
330 enforcement of the penal, traffic or highway laws of the Commonwealth and (ii) member of an auxiliary  
331 police force established pursuant to subsection B of § 15.2-1731. Part-time employees are compensated  
332 officers who are not full-time employees as defined by the employing police department or sheriff's  
333 office.

334 I. Neither a law-enforcement agency, the attorney for the Commonwealth, a court nor the clerk's  
335 office, nor any employee of them, may disclose, except among themselves, the residential address,  
336 telephone number, or place of employment of the person protected by the order or that of the family of  
337 such person, except to the extent that disclosure is (i) required by law or the Rules of the Supreme  
338 Court, (ii) necessary for law-enforcement purposes, or (iii) permitted by the court for good cause.

339 J. As used in this section, "copy" includes a facsimile copy.

340 K. No fee shall be charged for filing or serving any petition or order pursuant to this section.

341 § 16.1-279.1. Protective order in cases of family abuse.

342 A. In cases of family abuse, including any case involving an incarcerated or recently incarcerated  
343 respondent against whom a preliminary protective order has been issued pursuant to § 16.1-253.1, the  
344 court may issue a protective order to protect the health and safety of the petitioner and family or  
345 household members of the petitioner. A protective order issued under this section may include any one  
346 or more of the following conditions to be imposed on the respondent:

347 1. Prohibiting acts of family abuse;

348 2. Prohibiting such contacts by the respondent with the petitioner or family or household members of  
349 the petitioner as the court deems necessary for the health or safety of such persons;

350 3. Granting the petitioner possession of the residence occupied by the parties to the exclusion of the  
351 respondent; however, no such grant of possession shall affect title to any real or personal property;

352 4. Enjoining the respondent from terminating any necessary utility service to the residence to which  
353 the petitioner was granted possession pursuant to subdivision 3 or, where appropriate, ordering the  
354 respondent to restore utility services to that residence;

355 5. Granting the petitioner temporary possession or use of a motor vehicle owned by the petitioner  
356 alone or jointly owned by the parties to the exclusion of the respondent; however, no such grant of  
357 possession or use shall affect title to the vehicle;

358 6. Requiring that the respondent provide suitable alternative housing for the petitioner and, if  
359 appropriate, any other family or household member and where appropriate, requiring the respondent to  
360 pay deposits to connect or restore necessary utility services in the alternative housing provided;

361 7. Ordering the respondent to participate in treatment, counseling or other programs as the court  
362 deems appropriate; and

363 8. *Prohibiting the respondent from damaging any item of personal property or harming a companion*  
364 *animal, as defined in § 3.2-6500; and*

365 9. Any other relief necessary for the protection of the petitioner and family or household members of  
366 the petitioner, including a provision for temporary custody or visitation of a minor child.

367 A1. If a protective order is issued pursuant to subsection A of this section, the court may also issue a  
368 temporary child support order for the support of any children of the petitioner whom the respondent has  
369 a legal obligation to support. Such order shall terminate upon the determination of support pursuant to  
370 § 20-108.1.

371 B. The protective order may be issued for a specified period of time up to a maximum of two years.  
372 The protective order shall expire at 11:59 p.m. on the last day specified or at 11:59 p.m. on the last day  
373 of the two-year period if no date is specified. Prior to the expiration of the protective order, a petitioner  
374 may file a written motion requesting a hearing to extend the order. Proceedings to extend a protective  
375 order shall be given precedence on the docket of the court. If the petitioner was a member of the  
376 respondent's family or household at the time the initial protective order was issued, the court may extend  
377 the protective order for a period not longer than two years to protect the health and safety of the  
378 petitioner or persons who are family or household members of the petitioner at the time the request for  
379 an extension is made. The extension of the protective order shall expire at 11:59 p.m. on the last day  
380 specified or at 11:59 p.m. on the last day of the two-year period if no date is specified. Nothing herein  
381 shall limit the number of extensions that may be requested or issued.

382 C. A copy of the protective order shall be served on the respondent and provided to the petitioner as  
383 soon as possible. The court shall forthwith, but in all cases no later than the end of the business day on  
384 which the order was issued, enter and transfer electronically to the Virginia Criminal Information  
385 Network the respondent's identifying information and the name, date of birth, sex, and race of each  
386 protected person provided to the court and shall forthwith forward the attested copy of the protective  
387 order containing any such identifying information to the primary law-enforcement agency responsible for  
388 service and entry of protective orders. Upon receipt of the order by the primary law-enforcement agency,  
389 the agency shall forthwith verify and enter any modification as necessary to the identifying information  
390 and other appropriate information required by the Department of State Police into the Virginia Criminal  
391 Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et  
392 seq.) of Title 52 and the order shall be served forthwith upon the respondent and due return made to the  
393 court. However, if the order is issued by the circuit court, the clerk of the circuit court shall forthwith  
394 forward an attested copy of the order containing the respondent's identifying information and the name,  
395 date of birth, sex, and race of each protected person provided to the court to the primary  
396 law-enforcement agency providing service and entry of protective orders and upon receipt of the order,  
397 the primary law-enforcement agency shall enter the name of the person subject to the order and other  
398 appropriate information required by the Department of State Police into the Virginia Criminal  
399 Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et  
400 seq.) of Title 52 and the order shall be served forthwith upon the respondent. Upon service, the agency  
401 making service shall enter the date and time of service and other appropriate information required by the  
402 Department of State Police into the Virginia Criminal Information Network and make due return to the  
403 court. If the order is later dissolved or modified, a copy of the dissolution or modification order shall  
404 also be attested, forwarded forthwith to the primary law-enforcement agency responsible for service and  
405 entry of protective orders, and upon receipt of the order by the primary law-enforcement agency, the  
406 agency shall forthwith verify and enter any modification as necessary to the identifying information and  
407 other appropriate information required by the Department of State Police into the Virginia Criminal  
408 Information Network as described above and the order shall be served forthwith and due return made to  
409 the court.

410 D. Except as otherwise provided in § 16.1-253.2, a violation of a protective order issued under this  
411 section shall constitute contempt of court.

412 E. The court may assess costs and attorneys' fees against either party regardless of whether an order  
413 of protection has been issued as a result of a full hearing.

414 F. Any judgment, order or decree, whether permanent or temporary, issued by a court of appropriate  
415 jurisdiction in another state, the United States or any of its territories, possessions or Commonwealths,  
416 the District of Columbia or by any tribal court of appropriate jurisdiction for the purpose of preventing  
417 violent or threatening acts or harassment against or contact or communication with or physical proximity  
418 to another person, including any of the conditions specified in subsection A, shall be accorded full faith  
419 and credit and enforced in the Commonwealth as if it were an order of the Commonwealth, provided  
420 reasonable notice and opportunity to be heard were given by the issuing jurisdiction to the person  
421 against whom the order is sought to be enforced sufficient to protect such person's due process rights  
422 and consistent with federal law. A person entitled to protection under such a foreign order may file the  
423 order in any juvenile and domestic relations district court by filing with the court an attested or  
424 exemplified copy of the order. Upon such a filing, the clerk shall forthwith forward an attested copy of  
425 the order to the primary law-enforcement agency responsible for service and entry of protective orders  
426 which shall, upon receipt, enter the name of the person subject to the order and other appropriate  
427 information required by the Department of State Police into the Virginia Criminal Information Network

428 established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52. Where  
429 practical, the court may transfer information electronically to the Virginia Criminal Information Network.

430 Upon inquiry by any law-enforcement agency of the Commonwealth, the clerk shall make a copy  
431 available of any foreign order filed with that court. A law-enforcement officer may, in the performance  
432 of his duties, rely upon a copy of a foreign protective order or other suitable evidence which has been  
433 provided to him by any source and may also rely upon the statement of any person protected by the  
434 order that the order remains in effect.

435 G. Either party may at any time file a written motion with the court requesting a hearing to dissolve  
436 or modify the order. Proceedings to dissolve or modify a protective order shall be given precedence on  
437 the docket of the court.

438 H. As used in this section:

439 "Copy" includes a facsimile copy; and

440 "Protective order" includes an initial, modified or extended protective order.

441 I. Neither a law-enforcement agency, the attorney for the Commonwealth, a court nor the clerk's  
442 office, nor any employee of them, may disclose, except among themselves, the residential address,  
443 telephone number, or place of employment of the person protected by the order or that of the family of  
444 such person, except to the extent that disclosure is (i) required by law or the Rules of the Supreme  
445 Court, (ii) necessary for law-enforcement purposes, or (iii) permitted by the court for good cause.

446 J. No fee shall be charged for filing or serving any petition or order pursuant to this section.

447 § 19.2-152.8. Emergency protective orders authorized in cases of stalking, sexual battery, and acts of  
448 violence.

449 A. Any judge of a circuit court, general district court, juvenile and domestic relations district court or  
450 magistrate may issue a written or oral ex parte emergency protective order pursuant to this section in  
451 order to protect the health or safety of any person.

452 B. When a law-enforcement officer, an allegedly stalked person or an alleged victim of sexual  
453 battery in violation of § 18.2-67.4, aggravated sexual battery in violation of § 18.2-67.3 or a criminal  
454 offense resulting in a serious bodily injury to the alleged victim asserts under oath to a judge or  
455 magistrate that such person is being or has been subjected to stalking, sexual battery in violation of  
456 § 18.2-67.4, aggravated sexual battery in violation of § 18.2-67.3, or a criminal offense resulting in a  
457 serious bodily injury to the alleged victim and on that assertion or other evidence the judge or  
458 magistrate finds that (i) there is probable danger of a further such offense being committed by the  
459 respondent against the alleged victim and (ii) a warrant for the arrest of the respondent has been issued,  
460 the judge or magistrate shall issue an ex parte emergency protective order imposing one or more of the  
461 following conditions on the respondent:

462 1. Prohibiting acts of violence, acts of sexual battery, or acts of stalking in violation of § 18.2-60.3;

463 2. Prohibiting such contacts by the respondent with the alleged victim of such crime or such person's  
464 family or household members as the judge or magistrate deems necessary to protect the safety of such  
465 persons; and

466 3. *Prohibiting damaging any item of personal property or harming a companion animal, as defined*  
467 *in § 3.2-6500; and*

468 4. Such other conditions as the judge or magistrate deems necessary to prevent acts of stalking, acts  
469 of sexual battery, or criminal offenses resulting in injury to person or property, or communication or  
470 other contact of any kind by the respondent.

471 C. An emergency protective order issued pursuant to this section shall expire at 11:59 p.m. on the  
472 third day following issuance. If the expiration occurs on a day that the court is not in session, the  
473 emergency protective order shall be extended until 11:59 p.m. on the next day that the court which  
474 issued the order is in session. The respondent may at any time file a motion with the court requesting a  
475 hearing to dissolve or modify the order. The hearing on the motion shall be given precedence on the  
476 docket of the court.

477 D. A law-enforcement officer may request an emergency protective order pursuant to this section  
478 orally, in person or by electronic means, and the judge of a circuit court, general district court, or  
479 juvenile and domestic relations district court or a magistrate may issue an oral emergency protective  
480 order. An oral emergency protective order issued pursuant to this section shall be reduced to writing, by  
481 the law-enforcement officer requesting the order or the magistrate, on a preprinted form approved and  
482 provided by the Supreme Court of Virginia. The completed form shall include a statement of the  
483 grounds for the order asserted by the officer or the alleged victim of such crime.

484 E. The court or magistrate shall forthwith, but in all cases no later than the end of the business day  
485 on which the order was issued, enter and transfer electronically to the Virginia Criminal Information  
486 Network the respondent's identifying information and the name, date of birth, sex, and race of each  
487 protected person provided to the court or magistrate. A copy of an emergency protective order issued  
488 pursuant to this section containing any such identifying information shall be forwarded forthwith to the  
489 primary law-enforcement agency responsible for service and entry of protective orders. Upon receipt of



the order by the primary law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the identifying information and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith upon the respondent and due return made to the court. However, if the order is issued by the circuit court, the clerk of the circuit court shall forthwith forward an attested copy of the order containing the respondent's identifying information and the name, date of birth, sex, and race of each protected person provided to the court to the primary law-enforcement agency providing service and entry of protective orders and upon receipt of the order, the primary law-enforcement agency shall enter the name of the person subject to the order and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith upon the respondent. Upon service, the agency making service shall enter the date and time of service and other appropriate information required into the Virginia Criminal Information Network and make due return to the court. One copy of the order shall be given to the alleged victim of such crime. The judge or magistrate who issues an oral order pursuant to an electronic request by a law-enforcement officer shall verify the written order to determine whether the officer who reduced it to writing accurately transcribed the contents of the oral order. The original copy shall be filed with the clerk of the appropriate district court within five business days of the issuance of the order. If the order is later dissolved or modified, a copy of the dissolution or modification order shall also be attested, forwarded forthwith to the primary law-enforcement agency responsible for service and entry of protective orders, and upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the identifying information and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network as described above and the order shall be served forthwith and due return made to the court. Upon request, the clerk shall provide the alleged victim of such crime with information regarding the date and time of service.

F. The issuance of an emergency protective order shall not be considered evidence of any wrongdoing by the respondent.

G. As used in this section, a "law-enforcement officer" means any (i) person who is a full-time or part-time employee of a police department or sheriff's office which is part of or administered by the Commonwealth or any political subdivision thereof and who is responsible for the prevention and detection of crime and the enforcement of the penal, traffic or highway laws of the Commonwealth and (ii) member of an auxiliary police force established pursuant to subsection B of § 15.2-1731. Part-time employees are compensated officers who are not full-time employees as defined by the employing police department or sheriff's office.

H. Neither a law-enforcement agency, the attorney for the Commonwealth, a court nor the clerk's office, nor any employee of them, may disclose, except among themselves, the residential address, telephone number, or place of employment of the person protected by the order or that of the family of such person, except to the extent that disclosure is (i) required by law or the Rules of the Supreme Court, (ii) necessary for law-enforcement purposes, or (iii) permitted by the court for good cause.

I. As used in this section, "copy" includes a facsimile copy.

J. No fee shall be charged for filing or serving any petition pursuant to this section.

§ 19.2-152.9. Preliminary protective orders in cases of stalking, sexual battery and acts of violence.

A. Upon the filing of a petition alleging that (i) the petitioner is or has been, within a reasonable period of time, subjected to stalking, sexual battery in violation of § 18.2-67.4, aggravated sexual battery in violation of § 18.2-67.3, or a criminal offense resulting in a serious bodily injury to the petitioner, and (ii) a warrant has been issued for the arrest of the alleged perpetrator of such act or acts, the court may issue a preliminary protective order against the alleged perpetrator in order to protect the health and safety of the petitioner or any family or household member of the petitioner. The order may be issued in an ex parte proceeding upon good cause shown when the petition is supported by an affidavit or sworn testimony before the judge or intake officer. Immediate and present danger of stalking or another criminal offense that may result in a serious bodily injury to the petitioner or evidence sufficient to establish probable cause that stalking, sexual battery in violation of § 18.2-67.4, aggravated sexual battery in violation of § 18.2-67.3, or a criminal offense resulting in a serious bodily injury to the petitioner has recently occurred shall constitute good cause.

A preliminary protective order may include any one or more of the following conditions to be imposed on the respondent:

1. Prohibiting criminal offenses that may result in injury to person or property, acts of sexual battery, or acts of stalking in violation of § 18.2-60.3;

2. Prohibiting such other contacts by the respondent with the petitioner or the petitioner's family or household members as the court deems necessary for the health and safety of such persons; and

551 3. *Prohibiting damaging any item of personal property or harming a companion animal, as defined*  
552 *in § 3.2-6500; and*

553 4. Such other conditions as the court deems necessary to prevent acts of stalking, acts of sexual  
554 battery, criminal offenses that may result in injury to person or property, or communication or other  
555 contact of any kind by the respondent.

556 B. The court shall forthwith, but in all cases no later than the end of the business day on which the  
557 order was issued, enter and transfer electronically to the Virginia Criminal Information Network the  
558 respondent's identifying information and the name, date of birth, sex, and race of each protected person  
559 provided to the court. A copy of a preliminary protective order containing any such identifying  
560 information shall be forwarded forthwith to the primary law-enforcement agency responsible for service  
561 and entry of protective orders. Upon receipt of the order by the primary law-enforcement agency, the  
562 agency shall forthwith verify and enter any modification as necessary to the identifying information and  
563 other appropriate information required by the Department of State Police into the Virginia Criminal  
564 Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et  
565 seq.) of Title 52 and the order shall be served forthwith on the alleged perpetrator in person as provided  
566 in § 16.1-264, and due return made to the court. However, if the order is issued by the circuit court, the  
567 clerk of the circuit court shall forthwith forward an attested copy of the order containing the  
568 respondent's identifying information and the name, date of birth, sex, and race of each protected person  
569 provided to the court to the primary law-enforcement agency providing service and entry of protective  
570 orders and upon receipt of the order, the primary law-enforcement agency shall enter the name of the  
571 person subject to the order and other appropriate information required by the Department of State Police  
572 into the Virginia Criminal Information Network established and maintained by the Department pursuant  
573 to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith on the alleged  
574 perpetrator in person as provided in § 16.1-264. Upon service, the agency making service shall enter the  
575 date and time of service and other appropriate information required by the Department of State Police  
576 into the Virginia Criminal Information Network and make due return to the court. The preliminary order  
577 shall specify a date for the full hearing. The hearing shall be held within 15 days of the issuance of the  
578 preliminary order. If the respondent fails to appear at this hearing because the respondent was not  
579 personally served, the court may extend the protective order for a period not to exceed six months. The  
580 extended protective order shall be served as soon as possible on the respondent. However, upon motion  
581 of the respondent and for good cause shown, the court may continue the hearing. The preliminary order  
582 shall remain in effect until the hearing. Upon request after the order is issued, the clerk shall provide the  
583 petitioner with a copy of the order and information regarding the date and time of service. The order  
584 shall further specify that either party may at any time file a motion with the court requesting a hearing  
585 to dissolve or modify the order. The hearing on the motion shall be given precedence on the docket of  
586 the court.

587 Upon receipt of the return of service or other proof of service pursuant to subsection C of  
588 § 16.1-264, the clerk shall forthwith forward an attested copy of the preliminary protective order to  
589 primary law-enforcement agency and the agency shall forthwith verify and enter any modification as  
590 necessary into the Virginia Criminal Information Network as described above. If the order is later  
591 dissolved or modified, a copy of the dissolution or modification order shall also be attested, forwarded  
592 forthwith to the primary law-enforcement agency responsible for service and entry of protective orders,  
593 and upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify  
594 and enter any modification as necessary to the identifying information and other appropriate information  
595 required by the Department of State Police into the Virginia Criminal Information Network as described  
596 above and the order shall be served forthwith and due return made to the court.

597 C. The preliminary order is effective upon personal service on the alleged perpetrator. Except as  
598 otherwise provided in § 16.1-253.2, a violation of the order shall constitute contempt of court.

599 D. At a full hearing on the petition, the court may issue a protective order pursuant to § 19.2-152.10  
600 if the court finds that the petitioner has proven the allegation of a criminal offense resulting in a serious  
601 bodily injury to the petitioner, sexual battery in violation of § 18.2-67.4, aggravated sexual battery in  
602 violation of § 18.2-67.3, or stalking by a preponderance of the evidence.

603 E. No fees shall be charged for filing or serving petitions pursuant to this section.

604 F. Neither a law-enforcement agency, the attorney for the Commonwealth, a court nor the clerk's  
605 office, nor any employee of them, may disclose, except among themselves, the residential address,  
606 telephone number, or place of employment of the person protected by the order or that of the family of  
607 such person, except to the extent that disclosure is (i) required by law or the Rules of the Supreme  
608 Court, (ii) necessary for law-enforcement purposes, or (iii) permitted by the court for good cause.

609 G. As used in this section, "copy" includes a facsimile copy.

610 § 19.2-152.10. Protective order in cases of stalking, sexual battery and acts of violence.

611 A. The court may issue a protective order pursuant to this chapter to protect the health and safety of  
612 the petitioner and family or household members of a petitioner upon (i) the issuance of a warrant for

sexual battery in violation of § 18.2-67.4, aggravated sexual battery in violation of § 18.2-67.3, a criminal offense resulting in a serious bodily injury to the petitioner, or a violation of § 18.2-60.3, (ii) a hearing held pursuant to subsection D of § 19.2-152.9, or (iii) a conviction for sexual battery in violation of § 18.2-67.4, aggravated sexual battery in violation of § 18.2-67.3, a criminal offense resulting in a serious bodily injury to the petitioner, or a violation of § 18.2-60.3. A protective order issued under this section may include any one or more of the following conditions to be imposed on the respondent:

1. Prohibiting criminal offenses that may result in injury to person or property, acts of sexual battery, or acts of stalking in violation of § 18.2-60.3;

2. Prohibiting such contacts by the respondent with the petitioner or family or household members of the petitioner as the court deems necessary for the health or safety of such persons; and

3. *Prohibiting damaging any item of personal property or harming a companion animal, as defined in § 3.2-6500; and*

4. Any other relief necessary to prevent criminal offenses that may result in injury to person or property, acts of sexual battery, or acts of stalking, communication or other contact of any kind by the respondent.

B. The protective order may be issued for a specified period of time up to a maximum of two years. The protective order shall expire at 11:59 p.m. on the last day specified or at 11:59 p.m. on the last day of the two-year period if no date is specified. Prior to the expiration of the protective order, a petitioner may file a written motion requesting a hearing to extend the order. Proceedings to extend a protective order shall be given precedence on the docket of the court. The court may extend the protective order for a period not longer than two years to protect the health and safety of the petitioner or persons who are family or household members of the petitioner at the time the request for an extension is made. The extension of the protective order shall expire at 11:59 p.m. on the last day specified or at 11:59 p.m. on the last day of the two-year period if no date is specified. Nothing herein shall limit the number of extensions that may be requested or issued.

C. A copy of the protective order shall be served on the respondent and provided to the petitioner as soon as possible. The court shall forthwith, but in all cases no later than the end of the business day on which the order was issued, enter and transfer electronically to the Virginia Criminal Information Network the respondent's identifying information and the name, date of birth, sex, and race of each protected person provided to the court and shall forthwith forward the attested copy of the protective order and containing any such identifying information to the primary law-enforcement agency responsible for service and entry of protective orders. Upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the identifying information and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith upon the respondent and due return made to the court. However, if the order is issued by the circuit court, the clerk of the circuit court shall forthwith forward an attested copy of the order containing the respondent's identifying information and the name, date of birth, sex, and race of each protected person provided to the court to the primary law-enforcement agency providing service and entry of protective orders and upon receipt of the order, the primary law-enforcement agency shall enter the name of the person subject to the order and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith on the respondent. Upon service, the agency making service shall enter the date and time of service and other appropriate information required into the Virginia Criminal Information Network and make due return to the court. If the order is later dissolved or modified, a copy of the dissolution or modification order shall also be attested, forwarded forthwith to the primary law-enforcement agency responsible for service and entry of protective orders, and upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the identifying information and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network as described above and the order shall be served forthwith and due return made to the court.

D. Except as otherwise provided, a violation of a protective order issued under this section shall constitute contempt of court.

E. The court may assess costs and attorneys' fees against either party regardless of whether an order of protection has been issued as a result of a full hearing.

F. Any judgment, order or decree, whether permanent or temporary, issued by a court of appropriate jurisdiction in another state, the United States or any of its territories, possessions or Commonwealths, the District of Columbia or by any tribal court of appropriate jurisdiction for the purpose of preventing violent or threatening acts or harassment against or contact or communication with or physical proximity to another person, including any of the conditions specified in subsection A, shall be accorded full faith

674 and credit and enforced in the Commonwealth as if it were an order of the Commonwealth, provided  
675 reasonable notice and opportunity to be heard were given by the issuing jurisdiction to the person  
676 against whom the order is sought to be enforced sufficient to protect such person's due process rights  
677 and consistent with federal law. A person entitled to protection under such a foreign order may file the  
678 order in any appropriate district court by filing with the court, an attested or exemplified copy of the  
679 order. Upon such a filing, the clerk shall forthwith forward an attested copy of the order to the primary  
680 law-enforcement agency responsible for service and entry of protective orders which shall, upon receipt,  
681 enter the name of the person subject to the order and other appropriate information required by the  
682 Department of State Police into the Virginia Criminal Information Network established and maintained  
683 by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52. Where practical, the court may  
684 transfer information electronically to the Virginia Criminal Information Network.

685 Upon inquiry by any law-enforcement agency of the Commonwealth, the clerk shall make a copy  
686 available of any foreign order filed with that court. A law-enforcement officer may, in the performance  
687 of his duties, rely upon a copy of a foreign protective order or other suitable evidence which has been  
688 provided to him by any source and may also rely upon the statement of any person protected by the  
689 order that the order remains in effect.

690 G. Either party may at any time file a written motion with the court requesting a hearing to dissolve  
691 or modify the order. Proceedings to modify or dissolve a protective order shall be given precedence on  
692 the docket of the court.

693 H. Neither a law-enforcement agency, the attorney for the Commonwealth, a court nor the clerk's  
694 office, nor any employee of them, may disclose, except among themselves, the residential address,  
695 telephone number, or place of employment of the person protected by the order or that of the family of  
696 such person, except to the extent that disclosure is (i) required by law or the Rules of the Supreme  
697 Court, (ii) necessary for law-enforcement purposes, or (iii) permitted by the court for good cause.

698 I. No fees shall be charged for filing or serving petitions pursuant to this section.

699 J. As used in this section:

700 "Copy" includes a facsimile copy; and

701 "Protective order" includes an initial, modified or extended protective order.

702 **2. That the provisions of this act may result in a net increase in periods of imprisonment or**  
703 **commitment. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot**  
704 **be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter**  
705 **874 of the Acts of Assembly of 2010 requires the Virginia Criminal Sentencing Commission to**  
706 **assign a minimum fiscal impact of \$50,000. Pursuant to § 30-19.1:4, the estimated amount of the**  
707 **necessary appropriation is \$0 for periods of commitment to the custody of the Department of**  
708 **Juvenile Justice.**