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SENATE BILL NO. 149

Offered January 11, 2006

Prefiled January 10, 2006

A *BILL to amend and reenact §§ 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—Deeds; Delegate: Toscano

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That §§ 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:

§ 16.1-253.1. 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.

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 *which shall be specifically described in the order.*

3. Prohibiting such other contacts with the allegedly abused family or household member, *including that the allegedly abusing person not be in the alleged victim's physical presence*, as the court deems necessary to protect the safety of such persons *which shall be specifically described in the order.*

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. 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.

6. Requiring that the allegedly abusing person provide suitable alternative housing for the petitioner and any other family or household member, where appropriate.

B. Upon receipt of the order by a local law-enforcement agency for service, the 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 system established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52. Where practical, the court may transfer information electronically to the Virginia Criminal Information Network system. A copy of a preliminary protective order shall be served as soon as possible on the allegedly abusing person in person as provided in § 16.1-264, and upon service, the agency making service shall enter the date and time of service into the Virginia Criminal Information Network system. The preliminary order shall specify a date for the full hearing. The hearing shall be held within fifteen days of the issuance of the preliminary order. 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 forward forthwith an attested copy of the preliminary protective order to the local police department or sheriff's office which shall, upon receipt, enter into the Virginia Criminal Information Network system any other information required by the State Police which was not previously entered. If the order is later dissolved or modified, a copy of the dissolution or modification order shall also be attested, forwarded and entered in the Virginia Criminal Information Network system as described above.

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

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

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

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

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

71 *H. If the expiration of the preliminary protective order occurs at a time that the court is not in*
72 *session, the expiration shall be extended until 5 p.m. of the next business day that the court which*
73 *issued the order is in session.*

74 § 16.1-253.4. Emergency protective orders authorized in certain cases; penalty.

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

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

86 1. Prohibiting acts of family abuse;

87 2. Prohibiting such contacts by the respondent with family or household members of the respondent,
88 *including that the respondent not be in the petitioner's physical presence*, as the judge or magistrate
89 deems necessary to protect the safety of such persons *which shall be specifically described in the order*;
90 and

91 3. Granting the family or household member possession of the premises occupied by the parties to
92 the exclusion of the respondent; however, no such grant of possession shall affect title to any real or
93 personal property.

94 C. An emergency protective order issued pursuant to this section shall expire seventy-two hours after
95 issuance. If the expiration of the seventy-two-hour period occurs at a time that the court is not in
96 session, the emergency protective order shall be extended until 5 p.m. of the next business day that the
97 juvenile and domestic relations district court is in session. The respondent may at any time file a motion
98 with the court requesting a hearing to dissolve or modify the order. The hearing on the motion shall be
99 given precedence on the docket of the court.

100 D. A law-enforcement officer may request an emergency protective order pursuant to this section
101 and, if the person in need of protection is physically or mentally incapable of filing a petition pursuant
102 to § 16.1-253.1 or § 16.1-279.1, may request the extension of an emergency protective order for an
103 additional period of time not to exceed ~~seventy-two~~ 72 hours after expiration of the original order. The
104 request for an emergency protective order or extension of an order may be made orally, in person or by
105 electronic means, and the judge of a circuit court, general district court, or juvenile and domestic
106 relations district court or a magistrate may issue an oral emergency protective order. An oral emergency
107 protective order issued pursuant to this section shall be reduced to writing, by the law-enforcement
108 officer requesting the order or the magistrate on a preprinted form approved and provided by the
109 Supreme Court of Virginia. The completed form shall include a statement of the grounds for the order
110 asserted by the officer or the allegedly abused person.

111 E. Upon receipt of the order by a local law-enforcement agency for service, the agency shall enter
112 the name of the person subject to the order and other appropriate information required by the
113 Department of State Police into the Virginia Criminal Information Network system established and
114 maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52. Where practical, the
115 court or magistrate may transfer information electronically to the Virginia Criminal Information Network
116 system. A copy of an emergency protective order issued pursuant to this section shall be served upon
117 the respondent as soon as possible, and upon service, the agency making service shall enter the date and
118 time of service into the Virginia Criminal Information Network system. One copy of the order shall be
119 given to the allegedly abused person when it is issued, and one copy shall be filed with the written
120 report required by § 19.2-81.3 C. 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 juvenile and domestic relations 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 be forwarded and entered in the system as described above. Upon request, the clerk shall provide the allegedly abused person with information regarding the date and time of service.

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

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

H. As used in this section, a "law-enforcement officer" means any (i) 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.

I. 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.

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

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

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

A. In cases of family abuse, the court may issue a protective order to protect the health and safety of the petitioner and family or household members of the petitioner. 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 acts of family abuse;

2. Prohibiting such contacts by the respondent with the petitioner or family or household members of the petitioner, *including that the respondent not be in the petitioner's physical presence*, as the court deems necessary for the health or safety of such persons *which shall be specifically described in the order*;

3. Granting the petitioner possession of the residence 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;

4. 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 respondent; however, no such grant of possession or use shall affect title to the vehicle;

5. Requiring that the respondent provide suitable alternative housing for the petitioner and, if appropriate, any other family or household member;

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

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

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

B. The protective order may be issued for a specified period; however, unless otherwise authorized by law, a protective order may not be issued under this section for a period longer than two years. *However, if the expiration of the protective order occurs at a time that the court is not in session, the expiration shall be extended until 5 p.m. of the next business day that the court which issued the order is in session.* A copy of the protective order shall be served on the respondent and provided to the petitioner as soon as possible. The clerk shall, upon receipt, forward forthwith an attested copy of the order to the local police department or sheriff's office which shall, upon receipt, 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 system established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52. Where practical, the court may transfer information electronically to the Virginia Criminal Information Network system. If the order is later dissolved or modified, a copy of the dissolution or modification order shall also be attested, forwarded and entered in the system as described above.

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

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

186 E. Any judgment, order or decree, whether permanent or temporary, issued by a court of appropriate
187 jurisdiction in another state, the United States or any of its territories, possessions or Commonwealths,
188 the District of Columbia or by any tribal court of appropriate jurisdiction for the purpose of preventing
189 violent or threatening acts or harassment against or contact or communication with or physical proximity
190 to another person, including any of the conditions specified in subsection A, shall be accorded full faith
191 and credit and enforced in the Commonwealth as if it were an order of the Commonwealth, provided
192 reasonable notice and opportunity to be heard were given by the issuing jurisdiction to the person
193 against whom the order is sought to be enforced sufficient to protect such person's due process rights
194 and consistent with federal law. A person entitled to protection under such a foreign order may file the
195 order in any juvenile and domestic relations district court by filing with the court an attested or
196 exemplified copy of the order. Upon such a filing, the clerk shall forward forthwith an attested copy of
197 the order to the local police department or sheriff's office which shall, upon receipt, enter the name of
198 the person subject to the order and other appropriate information required by the Department of State
199 Police into the Virginia Criminal Information Network system established and maintained by the
200 Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52. Where practical, the court may transfer
201 information electronically to the Virginia Criminal Information Network system.

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

207 F. Either party may at any time file a written motion with the court requesting a hearing to dissolve
208 or modify the order. Proceedings to dissolve or modify a protective order shall be given precedence on
209 the docket of the court.

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

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

216 I. No fee shall be charged for filing or serving any petition or order pursuant to this section.
217 § 19.2-152.8. Emergency protective orders authorized in cases of stalking and acts of violence.

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

221 B. When a law-enforcement officer, an allegedly stalked person or an alleged victim of a criminal
222 offense resulting in a serious bodily injury to the alleged victim asserts under oath to a judge or
223 magistrate that such person is being or has been subjected to stalking or a criminal offense resulting in a
224 serious bodily injury to the alleged victim and on that assertion or other evidence the judge or
225 magistrate finds that (i) there is probable danger of a further such offense being committed by the
226 respondent against the alleged victim and (ii) a warrant for the arrest of the respondent has been issued,
227 the judge or magistrate shall issue an ex parte emergency protective order imposing one or more of the
228 following conditions on the respondent:

229 1. Prohibiting acts of violence or acts of stalking in violation of § 18.2-60.3;

230 2. Prohibiting such contacts by the respondent with the alleged victim of such crime or such person's
231 family or household members, *including that the respondent not be in the alleged victim's physical*
232 *presence*, as the judge or magistrate deems necessary to protect the safety of such persons *which shall*
233 *be specifically described in the order*; and

234 3. Such other conditions as the judge or magistrate deems necessary to prevent acts of stalking, or
235 criminal offenses resulting in injury to person or property, or communication or other contact of any
236 kind by the respondent *which shall be specifically described in the order*.

237 C. An emergency protective order issued pursuant to this section shall expire 72 hours after issuance.
238 If the expiration of the 72-hour period occurs at a time that the court is not in session, the emergency
239 protective order shall be extended until 5 p.m. of the next business day that the court which issued the
240 order is in session. The respondent may at any time file a motion with the court requesting a hearing to
241 dissolve or modify the order. The hearing on the motion shall be given precedence on the docket of the
242 court.

243 D. A law-enforcement officer may request an emergency protective order pursuant to this section

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 alleged victim of such crime.

E. Upon receipt of the order by a local law-enforcement agency for service, the 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 system established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52. Where practical, the court or magistrate may transfer information electronically to the Virginia Criminal Information Network system. A copy of an emergency protective order issued pursuant to this section shall be served upon the respondent as soon as possible, and upon service, the agency making service shall enter the date and time of service into the Virginia Criminal Information Network system. 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 be forwarded and entered in the system as described above. 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 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 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 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 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, *including that the respondent not be in the petitioner's physical presence*, as the court deems necessary for the health and safety of such persons *which shall be specifically described in the order*; and

3. Such other conditions as the court deems necessary to prevent acts of stalking, criminal offenses that may result in injury to person or property, or communication or other contact of any kind by the respondent *which shall be specifically described in the order*.

B. Upon receipt of the order by a local law-enforcement agency for service, the 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 system established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52. Where practical, the court may transfer information electronically to the Virginia Criminal Information Network system. A copy of a preliminary protective order shall be served as soon as possible on the alleged stalker in person as provided in § 16.1-264, and upon service, the agency making service shall enter the date and time of service into the Virginia criminal information network system. 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. 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 forward forthwith an attested copy of the preliminary protective order to the local police department or sheriff's office which shall, upon receipt, enter into the Virginia Criminal Information Network system any other information required by the State Police which was not previously entered. If the order is later dissolved or modified, a copy of the dissolution or modification order shall also be attested, forwarded and entered into the Virginia Criminal Information Network system as described above.

C. The preliminary order is effective upon personal service on the alleged perpetrator. 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 § 19.2-152.10 if the court finds that the petitioner has proven the allegation of a criminal offense resulting in a serious bodily injury to the petitioner or stalking by a preponderance of the evidence.

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

F. 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.

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

H. If the expiration of the preliminary protective order occurs at a time that the court is not in session, the expiration shall be extended until 5 p.m. of the next business day that the court which issued the order is in session.

§ 19.2-152.10. Protective order in cases of stalking and acts of violence.

A. The court may issue a protective order pursuant to this chapter to protect the health and safety of the petitioner and family or household members of a petitioner upon (i) the issuance of a warrant for 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 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, 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, *including that the respondent not be in the petitioner's physical presence*, as the court deems necessary for the health or safety of such persons *which shall be specifically described in the order*; and

3. Any other relief necessary to prevent criminal offenses that may result in injury to person or property, or acts of stalking, communication or other contact of any kind by the respondent *which shall be specifically described in the order*.

B. The protective order may be issued for a specified period; however, unless otherwise authorized by law, a protective order may not be issued under this section for a period longer than two years. *However, if the expiration of the protective order occurs at a time that the court is not in session, the expiration shall be extended until 5 p.m. of the next business day that the court which issued the order is in session.* A copy of the protective order shall be served on the respondent and provided to the petitioner as soon as possible. The clerk shall upon receipt forward forthwith an attested copy of the order to the local police department or sheriff's office which shall, upon receipt, 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 system established and maintained by the Department

pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52. Where practical, the court may transfer information electronically to the Virginia Criminal Information Network system. If the order is later dissolved or modified, a copy of the dissolution or modification order shall also be attested, forwarded and entered into the system as described above.

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

D. 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.

E. 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 and credit and enforced in the Commonwealth as if it were an order of the Commonwealth, provided reasonable notice and opportunity to be heard were given by the issuing jurisdiction to the person against whom the order is sought to be enforced sufficient to protect such person's due process rights and consistent with federal law. A person entitled to protection under such a foreign order may file the order in any appropriate district court by filing with the court, an attested or exemplified copy of the order. Upon such a filing, the clerk shall forward forthwith an attested copy of the order to the local police department or sheriff's office which shall, upon receipt, 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 system established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52.

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

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

G. 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.

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

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