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**HOUSE BILL NO. 880**

**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee for Courts of Justice  
on January 27, 2020)

(Patron Prior to Substitute—Simonds)

A *BILL to amend and reenact §§ 16.1-253.1, 16.1-279.1, 19.2-152.9, and 19.2-152.10 of the Code of Virginia, relating to protective orders; motions to dissolve filed by petitioner; ex parte hearing and issuance of order.*

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

**1. That §§ 16.1-253.1, 16.1-279.1, 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. If an ex parte order is issued without an affidavit or a completed form as prescribed by subsection D of § 16.1-253.4 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. 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 or criminal offenses that result in injury to person or property.
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.
3. 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.
4. Enjoining the respondent from terminating any necessary utility service to a premises that the petitioner has been granted possession of pursuant to subdivision 3 or, where appropriate, ordering the respondent to restore utility services to such premises.
5. Granting the petitioner and, where appropriate, any other family or household member of the petitioner, exclusive use and possession of a cellular telephone number or electronic device. The court may enjoin the respondent from terminating a cellular telephone number or electronic device before the expiration of the contract term with a third-party provider. The court may enjoin the respondent from using a cellular telephone or other electronic device to locate the petitioner.
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. Granting the petitioner the possession of any companion animal as defined in § 3.2-6500 if such petitioner meets the definition of owner 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

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60 information shall be forwarded forthwith to the primary law-enforcement agency responsible for service  
61 and entry of protective orders. Upon receipt of the order by the primary law-enforcement agency, the  
62 agency shall forthwith verify and enter any modification as necessary to the identifying information and  
63 other appropriate information required by the Department of State Police into the Virginia Criminal  
64 Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et  
65 seq.) of Title 52 and the order shall be served forthwith on the allegedly abusing person in person as  
66 provided in § 16.1-264 and due return made to the court. However, if the order is issued by the circuit  
67 court, the clerk of the circuit court shall forthwith forward an attested copy of the order containing the  
68 respondent's identifying information and the name, date of birth, sex, and race of each protected person  
69 provided to the court to the primary law-enforcement agency providing service and entry of protective  
70 orders and upon receipt of the order, the primary law-enforcement agency shall enter the name of the  
71 person subject to the order and other appropriate information required by the Department of State Police  
72 into the Virginia Criminal Information Network established and maintained by the Department pursuant  
73 to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith on the allegedly  
74 abusing person in person as provided in § 16.1-264. Upon service, the agency making service shall enter  
75 the date and time of service and other appropriate information required by the Department of State  
76 Police into the Virginia Criminal Information Network and make due return to the court. The  
77 preliminary order shall specify a date for the full hearing. The hearing shall be held within 15 days of  
78 the issuance of the preliminary order, unless the court is closed pursuant to § 16.1-69.35 or 17.1-207 and  
79 such closure prevents the hearing from being held within such time period, in which case the hearing  
80 shall be held on the next day not a Saturday, Sunday, legal holiday, or day on which the court is  
81 lawfully closed. If such court is closed pursuant to § 16.1-69.35 or 17.1-207, the preliminary protective  
82 order shall remain in full force and effect until it is dissolved by such court, until another preliminary  
83 protective order is entered, or until a protective order is entered. If the respondent fails to appear at this  
84 hearing because the respondent was not personally served, or if personally served was incarcerated and  
85 not transported to the hearing, the court may extend the protective order for a period not to exceed six  
86 months. The extended protective order shall be served forthwith on the respondent. However, upon  
87 motion of the respondent and for good cause shown, the court may continue the hearing. The  
88 preliminary order shall remain in effect until the hearing. Upon request after the order is issued, the  
89 clerk shall provide the petitioner with a copy of the order and information regarding the date and time  
90 of service. The order shall further specify that either party may at any time file a motion with the court  
91 requesting a hearing to dissolve or modify the order. The hearing on the motion shall be given  
92 precedence on the docket of the court. *Upon petitioner's motion to dissolve the preliminary protective*  
93 *order, a dissolution order may be issued ex parte by the court with or without a hearing. If an ex parte*  
94 *hearing is held, it shall be heard by the court as soon as practicable. If a dissolution order is issued ex*  
95 *parte, the court shall serve a copy of such dissolution order on respondent in conformity with*  
96 *§§ 8.01-286.1 and 8.01-296.*

97 Upon receipt of the return of service or other proof of service pursuant to subsection C of  
98 § 16.1-264, the clerk shall forthwith forward an attested copy of the preliminary protective order to the  
99 primary law-enforcement agency, and the agency shall forthwith verify and enter any modification as  
100 necessary into the Virginia Criminal Information Network as described above. If the order is later  
101 dissolved or modified, a copy of the dissolution or modification order shall also be attested, forwarded  
102 forthwith to the primary law-enforcement agency responsible for service and entry of protective orders,  
103 and upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify  
104 and enter any modification as necessary to the identifying information and other appropriate information  
105 required by the Department of State Police into the Virginia Criminal Information Network as described  
106 above and the order shall be served forthwith and due return made to the court.

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

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

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

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

119 H. Upon issuance of a preliminary protective order, the clerk of the court shall make available to the  
120 petitioner information that is published by the Department of Criminal Justice Services for victims of  
121 domestic violence or for petitioners in protective order cases.

122 § 16.1-279.1. Protective order in cases of family abuse.

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

128 1. Prohibiting acts of family abuse or criminal offenses that result in injury to person or property;  
129 2. Prohibiting such contacts by the respondent with the petitioner or family or household members of  
130 the petitioner as the court deems necessary for the health or safety of such persons;

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

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

136 5. Granting the petitioner and, where appropriate, any other family or household member of the  
137 petitioner, exclusive use and possession of a cellular telephone number or electronic device. The court  
138 may enjoin the respondent from terminating a cellular telephone number or electronic device before the  
139 expiration of the contract term with a third-party provider. The court may enjoin the respondent from  
140 using a cellular telephone or other electronic device to locate the petitioner;

141 6. Granting the petitioner temporary possession or use of a motor vehicle owned by the petitioner  
142 alone or jointly owned by the parties to the exclusion of the respondent and enjoining the respondent  
143 from terminating any insurance, registration, or taxes on the motor vehicle and directing the respondent  
144 to maintain the insurance, registration, and taxes, as appropriate; however, no such grant of possession  
145 or use shall affect title to the vehicle;

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

149 8. Ordering the respondent to participate in treatment, counseling or other programs as the court  
150 deems appropriate;

151 9. Granting the petitioner the possession of any companion animal as defined in § 3.2-6500 if such  
152 petitioner meets the definition of owner in § 3.2-6500; and

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

155 A1. If a protective order is issued pursuant to subsection A, the court may also issue a temporary  
156 child support order for the support of any children of the petitioner whom the respondent has a legal  
157 obligation to support. Such order shall terminate upon the determination of support pursuant to  
158 § 20-108.1.

159 B. The protective order may be issued for a specified period of time up to a maximum of two years.  
160 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  
161 of the two-year period if no date is specified. Prior to the expiration of the protective order, a petitioner  
162 may file a written motion requesting a hearing to extend the order. Proceedings to extend a protective  
163 order shall be given precedence on the docket of the court. If the petitioner was a family or household  
164 member of the respondent at the time the initial protective order was issued, the court may extend the  
165 protective order for a period not longer than two years to protect the health and safety of the petitioner  
166 or persons who are family or household members of the petitioner at the time the request for an  
167 extension is made. The extension of the protective order shall expire at 11:59 p.m. on the last day  
168 specified or at 11:59 p.m. on the last day of the two-year period if no date is specified. Nothing herein  
169 shall limit the number of extensions that may be requested or issued.

170 C. A copy of the protective order shall be served on the respondent and provided to the petitioner as  
171 soon as possible. The court, including a circuit court if the circuit court issued the order, shall forthwith,  
172 but in all cases no later than the end of the business day on which the order was issued, enter and  
173 transfer electronically to the Virginia Criminal Information Network the respondent's identifying  
174 information and the name, date of birth, sex, and race of each protected person provided to the court  
175 and shall forthwith forward the attested copy of the protective order containing any such identifying  
176 information to the primary law-enforcement agency responsible for service and entry of protective  
177 orders. Upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith  
178 verify and enter any modification as necessary to the identifying information and other appropriate  
179 information required by the Department of State Police into the Virginia Criminal Information Network  
180 established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and  
181 the order shall be served forthwith upon the respondent and due return made to the court. Upon service,  
182 the agency making service shall enter the date and time of service and other appropriate information

183 required by the Department of State Police into the Virginia Criminal Information Network and make  
184 due return to the court. If the order is later dissolved or modified, a copy of the dissolution or  
185 modification order shall also be attested, forwarded forthwith to the primary law-enforcement agency  
186 responsible for service and entry of protective orders, and upon receipt of the order by the primary  
187 law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the  
188 identifying information and other appropriate information required by the Department of State Police  
189 into the Virginia Criminal Information Network as described above and the order shall be served  
190 forthwith and due return made to the court.

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

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

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

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

216 G. Either party may at any time file a written motion with the court requesting a hearing to dissolve  
217 or modify the order. Proceedings to dissolve or modify a protective order shall be given precedence on  
218 the docket of the court. *Upon petitioner's motion to dissolve the protective order, a dissolution order*  
219 *may be issued ex parte by the court with or without a hearing. If an ex parte hearing is held, it shall be*  
220 *heard by the court as soon as practicable. If a dissolution order is issued ex parte, the court shall serve*  
221 *a copy of such dissolution order on respondent in conformity with §§ 8.01-286.1 and 8.01-296.*

222 H. As used in this section:

223 "Copy" includes a facsimile copy; and

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

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

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

231 K. Upon issuance of a protective order, the clerk of the court shall make available to the petitioner  
232 information that is published by the Department of Criminal Justice Services for victims of domestic  
233 violence or for petitioners in protective order cases.

234 **§ 19.2-152.9. Preliminary protective orders.**

235 A. Upon the filing of a petition alleging that (i) the petitioner is or has been, within a reasonable  
236 period of time, subjected to an act of violence, force, or threat, or (ii) a petition or warrant has been  
237 issued for the arrest of the alleged perpetrator for any criminal offense resulting from the commission of  
238 an act of violence, force, or threat, the court may issue a preliminary protective order against the alleged  
239 perpetrator in order to protect the health and safety of the petitioner or any family or household member  
240 of the petitioner. The order may be issued in an ex parte proceeding upon good cause shown when the  
241 petition is supported by an affidavit or sworn testimony before the judge or intake officer. If an ex parte  
242 order is issued without an affidavit or a completed form as prescribed by subsection D of § 19.2-152.8  
243 being presented, the court, in its order, shall state the basis upon which the order was entered, including  
244 a summary of the allegations made and the court's findings. Immediate and present danger of any act of

245 violence, force, or threat or evidence sufficient to establish probable cause that an act of violence, force,  
246 or threat has recently occurred shall constitute good cause.

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

249 1. Prohibiting acts of violence, force, or threat or criminal offenses that may result in injury to  
250 person or property;

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

253 3. Such other conditions as the court deems necessary to prevent (i) acts of violence, force, or threat,  
254 (ii) criminal offenses that may result in injury to person or property, or (iii) communication or other  
255 contact of any kind by the respondent; and

256 4. Granting the petitioner the possession of any companion animal as defined in § 3.2-6500 if such  
257 petitioner meets the definition of owner in § 3.2-6500.

258 B. The court shall forthwith, but in all cases no later than the end of the business day on which the  
259 order was issued, enter and transfer electronically to the Virginia Criminal Information Network the  
260 respondent's identifying information and the name, date of birth, sex, and race of each protected person  
261 provided to the court. A copy of a preliminary protective order containing any such identifying  
262 information shall be forwarded forthwith to the primary law-enforcement agency responsible for service  
263 and entry of protective orders. Upon receipt of the order by the primary law-enforcement agency, the  
264 agency shall forthwith verify and enter any modification as necessary to the identifying information and  
265 other appropriate information required by the Department of State Police into the Virginia Criminal  
266 Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et  
267 seq.) of Title 52 and the order shall be served forthwith on the alleged perpetrator in person as provided  
268 in § 16.1-264, and due return made to the court. However, if the order is issued by the circuit court, the  
269 clerk of the circuit court shall forthwith forward an attested copy of the order containing the  
270 respondent's identifying information and the name, date of birth, sex, and race of each protected person  
271 provided to the court to the primary law-enforcement agency providing service and entry of protective  
272 orders and upon receipt of the order, the primary law-enforcement agency shall enter the name of the  
273 person subject to the order and other appropriate information required by the Department of State Police  
274 into the Virginia Criminal Information Network established and maintained by the Department pursuant  
275 to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith on the alleged  
276 perpetrator in person as provided in § 16.1-264. Upon service, the agency making service shall enter the  
277 date and time of service and other appropriate information required by the Department of State Police  
278 into the Virginia Criminal Information Network and make due return to the court. The preliminary order  
279 shall specify a date for the full hearing. The hearing shall be held within 15 days of the issuance of the  
280 preliminary order, unless the court is closed pursuant to § 16.1-69.35 or 17.1-207 and such closure  
281 prevents the hearing from being held within such time period, in which case the hearing shall be held  
282 on the next day not a Saturday, Sunday, legal holiday, or day on which the court is lawfully closed. If  
283 such court is closed pursuant to § 16.1-69.35 or 17.1-207, the preliminary protective order shall remain  
284 in full force and effect until it is dissolved by such court, until another preliminary protective order is  
285 entered, or until a protective order is entered. If the respondent fails to appear at this hearing because  
286 the respondent was not personally served, the court may extend the protective order for a period not to  
287 exceed six months. The extended protective order shall be served as soon as possible on the respondent.  
288 However, upon motion of the respondent and for good cause shown, the court may continue the hearing.  
289 The preliminary order shall remain in effect until the hearing. Upon request after the order is issued, the  
290 clerk shall provide the petitioner with a copy of the order and information regarding the date and time  
291 of service. The order shall further specify that either party may at any time file a motion with the court  
292 requesting a hearing to dissolve or modify the order. The hearing on the motion shall be given  
293 precedence on the docket of the court. *Upon petitioner's motion to dissolve the preliminary protective*  
294 *order, a dissolution order may be issued ex parte by the court with or without a hearing. If an ex parte*  
295 *hearing is held, it shall be heard by the court as soon as practicable. If a dissolution order is issued ex*  
296 *parte, the court shall serve a copy of such dissolution order on respondent in conformity with*  
297 *§§ 8.01-286.1 and 8.01-296.*

298 Upon receipt of the return of service or other proof of service pursuant to subsection C of  
299 § 16.1-264, the clerk shall forthwith forward an attested copy of the preliminary protective order to  
300 primary law-enforcement agency and the agency shall forthwith verify and enter any modification as  
301 necessary into the Virginia Criminal Information Network as described above. If the order is later  
302 dissolved or modified, a copy of the dissolution or modification order shall also be attested, forwarded  
303 forthwith to the primary law-enforcement agency responsible for service and entry of protective orders,  
304 and upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify  
305 and enter any modification as necessary to the identifying information and other appropriate information

306 required by the Department of State Police into the Virginia Criminal Information Network as described  
307 above and the order shall be served forthwith and due return made to the court.

308 C. The preliminary order is effective upon personal service on the alleged perpetrator. Except as  
309 otherwise provided, a violation of the order shall constitute contempt of court.

310 D. At a full hearing on the petition, the court may issue a protective order pursuant to § 19.2-152.10  
311 if the court finds that the petitioner has proven the allegation that the petitioner is or has been, within a  
312 reasonable period of time, subjected to an act of violence, force, or threat by a preponderance of the  
313 evidence.

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

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

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

321 H. Upon issuance of a preliminary protective order, the clerk of the court shall make available to the  
322 petitioner information that is published by the Department of Criminal Justice Services for victims of  
323 domestic violence or for petitioners in protective order cases.

324 **§ 19.2-152.10. Protective order.**

325 A. The court may issue a protective order pursuant to this chapter to protect the health and safety of  
326 the petitioner and family or household members of a petitioner upon (i) the issuance of a petition or  
327 warrant for, or a conviction of, any criminal offense resulting from the commission of an act of  
328 violence, force, or threat or (ii) a hearing held pursuant to subsection D of § 19.2-152.9. A protective  
329 order issued under this section may include any one or more of the following conditions to be imposed  
330 on the respondent:

331 1. Prohibiting acts of violence, force, or threat or criminal offenses that may result in injury to  
332 person or property;

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

335 3. Any other relief necessary to prevent (i) acts of violence, force, or threat, (ii) criminal offenses  
336 that may result in injury to person or property, or (iii) communication or other contact of any kind by  
337 the respondent; and

338 4. Granting the petitioner the possession of any companion animal as defined in § 3.2-6500 if such  
339 petitioner meets the definition of owner in § 3.2-6500.

340 B. The protective order may be issued for a specified period of time up to a maximum of two years.  
341 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  
342 of the two-year period if no date is specified. Prior to the expiration of the protective order, a petitioner  
343 may file a written motion requesting a hearing to extend the order. Proceedings to extend a protective  
344 order shall be given precedence on the docket of the court. The court may extend the protective order  
345 for a period not longer than two years to protect the health and safety of the petitioner or persons who  
346 are family or household members of the petitioner at the time the request for an extension is made. The  
347 extension of the protective order shall expire at 11:59 p.m. on the last day specified or at 11:59 p.m. on  
348 the last day of the two-year period if no date is specified. Nothing herein shall limit the number of  
349 extensions that may be requested or issued.

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

368 appropriate information required by the Department of State Police into the Virginia Criminal  
369 Information Network as described above and the order shall be served forthwith and due return made to  
370 the court.

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

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

375 F. Any judgment, order or decree, whether permanent or temporary, issued by a court of appropriate  
376 jurisdiction in another state, the United States or any of its territories, possessions or Commonwealths,  
377 the District of Columbia or by any tribal court of appropriate jurisdiction for the purpose of preventing  
378 violent or threatening acts or harassment against or contact or communication with or physical proximity  
379 to another person, including any of the conditions specified in subsection A, shall be accorded full faith  
380 and credit and enforced in the Commonwealth as if it were an order of the Commonwealth, provided  
381 reasonable notice and opportunity to be heard were given by the issuing jurisdiction to the person  
382 against whom the order is sought to be enforced sufficient to protect such person's due process rights  
383 and consistent with federal law. A person entitled to protection under such a foreign order may file the  
384 order in any appropriate district court by filing with the court, an attested or exemplified copy of the  
385 order. Upon such a filing, the clerk shall forthwith forward an attested copy of the order to the primary  
386 law-enforcement agency responsible for service and entry of protective orders which shall, upon receipt,  
387 enter the name of the person subject to the order and other appropriate information required by the  
388 Department of State Police into the Virginia Criminal Information Network established and maintained  
389 by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52. Where practical, the court may  
390 transfer information electronically to the Virginia Criminal Information Network.

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

396 G. Either party may at any time file a written motion with the court requesting a hearing to dissolve  
397 or modify the order. Proceedings to modify or dissolve a protective order shall be given precedence on  
398 the docket of the court. *Upon petitioner's motion to dissolve the protective order, a dissolution order*  
399 *may be issued ex parte by the court with or without a hearing. If an ex parte hearing is held, it shall be*  
400 *heard by the court as soon as practicable. If a dissolution order is issued ex parte, the court shall serve*  
401 *a copy of such dissolution order on respondent in conformity with §§ 8.01-286.1 and 8.01-296.*

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

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

408 J. As used in this section:

409 "Copy" includes a facsimile copy; and

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

411 K. Upon issuance of a protective order, the clerk of the court shall make available to the petitioner  
412 information that is published by the Department of Criminal Justice Services for victims of domestic  
413 violence or for petitioners in protective order cases.