Midwest Native Coalition for Justice & Peace

STATUTORY SUPPLEMENT

FOR DOMESTIC VIOLENCE AND PROTECTION ORDERS

QUAPAW NATION

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Statutory Supplement for Domestic Violence and Protection Orders – Quapaw Nation

The Victim Protective Order Act

§ 3. Definitions

A) The following definitions apply to this Act:

1) "Act of Sexual Nature" means rape and sexual abuse, sexual assault, or sex absent proper consent.

2) "Court," "District Court" or "Quapaw Nation/Tribal Court" means the courts of the Quapaw Nation established under the Nation's law.

3) "Defendant" means the person(s) to whom the victim protective order was directed toward and against.

4) "Domestic violence" means any act of physical harm, bodily injury, or sexual assault, or inflicting the fear of imminent physical harm, bodily injury or sexual assault which is committed by an adult, emancipated minor, or minor child thirteen (13) years of age or older against another adult, emancipated minor or minor child who are family or household members or who are or were in a dating relationship.

5) "Dating relationship" means a courtship or engagement relationship as to be adjudged by the District Court after considering length of relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For purposes of this Code, a casual acquaintance or ordinary fraternization between persons in a business or social context shall not constitute a dating relationship.

6) "Expungement" means the sealing of victim protective order (VPO) court records from public inspection, but not from law enforcement agencies, the court or the prosecuting attorney.

7) "Family or Household Member" means:

a) spouses,

b) ex-spouses;

c) present spouses of ex-spouses;

d) parents, including grandparents, stepparents, adoptive parents and foster parents;

e) children, including grandchildren, stepchildren, adopted children and foster children;

f) persons otherwise related by blood or adoption;

g) persons related by existing or prior marriage;

h) person who resides or resided with the defendant; or,

i) persons who are the biological parents of the same child, regardless of their marital status, or whether they have lived together at any time.

8) "Harassment" is when a person, with the purpose to harass another person:

a) makes an electronic communication including, but not limited to, telephone calls, text messages, instant messaging, social media, or email without purpose or legitimate communication or with intent to terrify, intimidate or harass, or threaten to inflict injury or physical harm to any individual or property;

b) insults, taunts or challenges another in a manner likely to provoke violence or disorderly response;

c) makes repeated communications anonymously or at extremely inconvenient hours, or in offensively coarse language;

d) subjects another to an offensive touching; or,

e) engages in any other course of alarming conduct serving no legitimate purpose.

9) "He-Tah" means any officer of the Quapaw Nation Marshal's office or any other tribal, state, or federal law enforcement officer acting under:

a) a cross-deputization agreement with the Quapaw Tribe and in response to a request from any officer of the Nation's Marshal's office; or,

b) an emergency request by an officer of the Nation's Marshal office.

10) "Nation" means the Quapaw Nation, a federally recognized Indian tribe.

11) "Petitioner" means the person or persons who sought and filed the original victim protective order, including those who had one sought on their behalf.

12) "Prison" means any location that the Quapaw Nation is currently incarcerating or holding defendants, long or short term.

13) "Stalking" means the willful, malicious, and repeated following or harassment of another individual in a manner that:

a) would cause a reasonable person or a member of the immediate family of that person to feel frightened, intimidated, threatened, harassed, or molested; and,

b) actually causes the individual being followed or harassed to feel terrorized, frightened, intimidated, threatened, harassed, or molested.

14) "Spouse or intimate partner" means:

a) a spouse or former spouse of the abuser, a person who shares a child in common with the abuser, and a person who cohabits or has cohabited as a spouse with the abuser;

b) a person who is or has been in a social relationship of a romantic or intimate nature with the abuser, as determined by the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship;

c) a spouse or former spouse of the target of the stalking, a person who shares a child in common with the target of the stalking, and a person who cohabits or has cohabited as a spouse with the target of the stalking;

d) a person who is or has been in a social relationship of a romantic or intimate nature with the target of the stalking, as determined by the length of the relationship, the type of the relationship, and the frequency of interaction between the persons involved in the relationship; or,

e) any other person similarly situated to a spouse who is protected by the domestic or family violence laws of the State or tribal jurisdiction in which the injury occurred or where the victim resides.

15) "Victim Advocate or Support Person" is defined as an employee of or volunteer for a program for victims of domestic, sexual, or family violence and victims of crime involving domestic violence who:

a) has a primary function of rendering advice, counseling, or assistance to victims of domestic or family violence and victims of crimes involving domestic violence; supervising the employees or volunteers of the program; or administering the program;

b) has undergone sufficient hours of training to perform the functions of an advocate; and,

c) works under the direction of a supervisor of the program, supervises employees or volunteers, or administers the program.

§ 5. Eligible Petitioner

A) The following individuals may seek relief under the provisions of this Act:

1) a victim of domestic violence;

2) a victim of harassment;

3) a victim of stalking;

4) a victim of an act of sexual nature;

5) any adult or emancipated minor household member on behalf of any other family or household member who is a minor or incompetent victim of domestic violence, harassment, stalking, or an act of sexual nature; or,

6) any minor age sixteen (16) or seventeen (17) years who is a victim of domestic violence, harassment, stalking, or an act of sexual nature.

B) The District Court shall not deny a petitioner relief requested pursuant to this chapter solely because of a lapse of time between an act of domestic violence, stalking, harassment, an act of sexual nature and the filing of the petition.

§ 8. Emergency Temporary Order

A) When the Court is not open for business, the victim of domestic violence, stalking, harassment, or an act of sexual nature may request a petition for an emergency temporary order of protection. The He-Tah making the preliminary investigation shall:

1) Provide the victim with a petition for an emergency temporary order of protection and, if necessary, assist the victim in completing the petition form. The petition shall be in substantially the same form as provided by Section 6 of this Act for a petition for protective order.

2) Immediately notify, by telephone or otherwise, a judge of the District Court of the request for an emergency temporary order of protection and describe the circumstances. The judge shall inform the He-Tah of the decision to approve or disapprove the emergency temporary order.

3) Inform the victim whether the judge has approved or disapproved the emergency temporary order. If an emergency temporary order has been approved, the He-Tah shall provide the victim, or a responsible adult if the victim is a minor child or an incompetent person, with a copy of the petition and a written statement signed by the officer attesting that the judge has approved the emergency temporary order of protection and how long it will be in effect. The officer is to inform the victim of what steps they can take to extend or finalize the emergency temporary protective order.

4) Notify the person subject to the emergency temporary protection order of the issuance and conditions of the order if known. Notification pursuant to this paragraph may be made personally by the officer upon arrest, or upon identification of the assailant notice shall be given by any law enforcement officer. A copy of the petition and the statement of the officer attesting to the order of the judge shall be made available to the person.

5) The law enforcement officer shall file a copy of the petition and the statement of the He-Tah with the District Court immediately upon the opening of the Court on the next business day.

B) The emergency temporary *ex parte* order shall be in effect until the court date that was assigned by the court during the approval of the order. Emergency temporary *ex parte* orders shall be set on the next available docket after issuance. The Court shall provide a list of available court dates for hearings.

C) The presiding Judge of the District Court shall approve a standard form for use by the He-Tah in emergency temporary *ex parte* protective orders.

§ 9. Statement Required on All *Ex Parte* or Final Protective Orders

A) In addition to any other provisions required by this Act, or otherwise required by law, each *ex parte* or final protective order issued pursuant to this Act shall have a statement printed in bold-faced type or in capital letters containing the following information:

1) The filing or nonfiling of criminal charges and the prosecution of the case shall not be determined by a person who is protected by the protective order, but shall be determined by the prosecutor;

2) No person, including a person who is protected by the order, may give permission to anyone to ignore or violate any provision of the order. During the time in which the order is valid, every provision of the order shall be in full force and effect unless a court changes the order;

3) The order shall be in effect for a fixed period of five (5) years unless extended, modified, vacated or rescinded by the court or shall be continuous upon a specific finding by the court as provided in the Victim Protective Order Act unless modified, vacated or rescinded by the court;

4) A violation of the order is punishable by a fine of up to One Thousand Dollars ($1,000.00), imprisonment for up to one (1) year in the county jail, or by both such fine and imprisonment; provided that, any person who has previously been convicted of violating any protective order, shall be punishable by a term of imprisonment for no more than three (3) years, by a fine of not less than Two Thousand Dollars ($2,000.00) nor more than Ten Thousand Dollars ($10,000.00), or by both such fine and imprisonment;

5) A violation of the order which causes injury or physical impairment is punishable by imprisonment for twenty (20) days to one (1) year in prison, a fine of up to Five Thousand Dollars ($5,000.00), or by both such fine and imprisonment; provided that, any person who has previously been convicted of violating any protective order, shall be punishable by a term of imprisonment of no more than three (3) years, by a fine of not less than Three Thousand Dollars ($3,000.00) nor more than Ten Thousand Dollars ($10,000.00), or by both such fine and imprisonment;

6) Possession of a firearm or ammunition by a defendant while an order is in effect may subject the defendant to prosecution for a violation of federal law even if the order does not specifically prohibit the defendant from possession of a firearm or ammunition:

7) A knowing violation of a protection order is a crime in the jurisdiction of the Quapaw Nation, in the state of Oklahoma and in other jurisdictions. Any person who travels across state lines or enters or leaves the Quapaw Nation territorial jurisdiction or other Indian Country with the intent to violate a protection order and who subsequently engages in such conduct is subject to federal prosecution for a federal offense under 18 U.S.C. § 2262. Any person who enters or leaves the Quapaw Nation territorial jurisdiction or other Indian Country with the intent to kill, injure, harass, or intimidate a spouse or intimate partner, and who, in the course of or as a result of such travel, commits or attempts to commit a crime of violence against that spouse or intimate partner, shall be subject to federal prosecution for a federal offense under 18 U.S.C. § 2261; and,

8) Federal law requires that this order be given full faith and credit by the court of any other state or Indian tribe under 18 U.S.C. § 2265.

§ 10. Service of Process

A) A copy of a petition for a protective order, any notice of hearing and a copy of any emergency temporary order or emergency *ex parte* order issued by the Court shall be served upon the defendant in the same manner as a summons in Chapter 1, Section 28(a) of the Quapaw Criminal Procedure Act. In addition, if the service is to be in another jurisdiction or county, the court clerk may issue service to the sheriff of said county or jurisdiction by facsimile or other electronic transmission for service by the sheriff and receive the return of service from the sheriff in the same manner. Any fee for service of a petition for protective order, notice of hearing, and emergency *ex parte* order shall only be charged pursuant to this Act and, if charged, shall be the same as the sheriff's service fee plus mileage expenses.

B) Emergency temporary orders, emergency *ex parte* orders and notice of hearings shall be given priority for service and can be served twenty-four (24) hours a day when the location of the defendant is known. When service cannot be made upon the defendant by the He-Tah, the He-Tah may contact another law enforcement officer or a private investigator or private process server to serve the defendant.

C) The return of service shall be submitted to the He-Tah's office or the court clerk in the District Court where the petition, notice of hearing or order was issued.

D) When the defendant is a minor child who is ordered removed from the residence of the victim, in addition to those documents served upon the defendant, a copy of the petition, notice of hearing and a copy of any temporary order or *ex parte* order issued by the court shall be delivered with the child to the caretaker of the place where such child is taken pursuant.

§ 19. Orders Sent to He-Tah or Other Law Enforcement Agencies

A) Within twenty-four (24) hours of the return of service of any emergency temporary, ex parte or final protective order, the clerk of the issuing court shall send certified copies thereof to the He-Tah and all appropriate law enforcement agencies designated by the petitioner. A certified copy of any extension, modification, vacation, cancellation or consent agreement concerning a final protective order shall be sent within twenty-four (24) hours by the clerk of the District Court to those law enforcement agencies receiving the original orders pursuant to this section and to any law enforcement agencies designated by the court.

B) Any law enforcement agency receiving copies of the documents listed in subsection A of this section shall be required to ensure that other law enforcement agencies have access twenty-four (24) hours a day to the information contained in the documents which may include entry of information about the emergency temporary, ex parte or final protective order in the National Crime Information Center database, which may include sending to another jurisdiction for entry into such database.

§ 20. Violation of Protective Order

A) At no time, under any proceeding, may a person protected by a protective order be held in violation of that protective order. Only a person against whom a protective order has been issued may be held to have violated the order.

B) A violation of any protective order is a misdemeanor offense, punishable by a fine of up to One Thousand Dollars ($1,000.00), imprisonment for up to one (1) year in the county jail, or by both such fine and imprisonment; provided that, any person who has previously been convicted of violating any protective order, shall be guilty of a felony, punishable by a term of imprisonment for no more than three (3) years, by a fine of not less than Two Thousand Dollars ($2,000.00) nor more than Ten Thousand Dollars ($10,000.00), or by both such fine and imprisonment;

C) A violation of any protective order which causes injury or physical impairment is a misdemeanor offense, punishable by imprisonment for twenty (20) days to one (1) year in prison, a fine of up to Five Thousand Dollars ($5,000.00), or by both such fine and imprisonment; provided that, any person who has previously been convicted of violating any protective order, shall be guilty of a felony, punishable by a term of imprisonment of no more than three (3) years, by a fine of not less than Three Thousand Dollars ($3,000.00) nor more than Ten Thousand Dollars ($10,000.00), or by both such fine and imprisonment;

1) In determining the term of imprisonment required by this section, the jury or sentencing judge shall consider the degree of physical injury or physical impairment to the victim.

2) The provisions of this subsection shall not affect the applicability of Chapter 13, Section 148 and 153, or any other applicable sections under the Quapaw Nation Law and Order Code.

§ 21. Full Faith and Credit- Foreign Protective Order

A) All foreign protective orders shall have the rebuttable presumption of validity, even if the foreign protective order contains provisions inconsistent with a protective order issued by the Courts of the Quapaw Nation. The Quapaw Nation court shall extend full faith and credit to such order, if proper and valid, including enforcement of the order as requested by the court. The validity of a foreign protective order shall only be determined by a court of competent jurisdiction. Until a foreign protective order is declared invalid by a court of competent jurisdiction it shall be given full faith and credit by all He-Tah and Courts of the Quapaw Nation.

B) If the Quapaw Nation Court finds that a party subject to an order under this Ordinance is now residing within the jurisdiction of another court, the Quapaw Nation Court shall petition such court for reciprocal enforcement and provide it with a copy of the order and necessary documentation.

C) Federal law requires that any order under this Code be given full faith and credit by the court of any other state or Indian tribe under 18 U.S.C. § 2265.

D) Registration or filing of a foreign protection order shall not be a prerequisite for District Court enforcement of out-of-state or tribal orders for protection.

E) A proceeding to enforce a foreign protection order may be started in District Court by:

1) A motion filed by the petitioner holding the foreign protection order, alleging that respondent has violated the protection order and requesting that the District Court enforce the order; and/or,

2) An action filed by the Prosecutor alleging that defendant has violated the foreign protection order.

§ 22. Duties of He-Tah and Warrantless Arrest

A) He-Tah shall not discourage a victim of domestic violence, stalking, harassment or an act of sexual violence from pressing charges against the assailant.

B) He-Tah shall investigate the circumstances surrounding allegations of domestic violence as defined in this Act prior to making a warrantless arrest. The investigation may include: circumstances surrounding the incident, past history of violence between the parties, statements of any children present in the residence, and any other relevant factors. If a dominant aggressor is determined as a result of such investigation, the He-Tah may arrest said dominant aggressor pursuant to this Section.

C) He-Tah may arrest without a warrant a person anywhere, including a place of residence, if the He-Tah has probable cause to believe the person has committed an act of domestic abuse as defined in this Act in the last seventy-two (72) hours. A He-Tah may not arrest a person pursuant to this section without first observing evidence of a recent physical injury to, or an impairment of the physical condition of, the alleged victim.

D) A He-Tah, without a warrant, shall arrest and take into custody a person if the He-Tah has reasonable cause to believe that:

1) An emergency *ex parte* or final protective order has been issued and served upon the person, pursuant to this Act.

2) A true copy and proof of service of the order has been filed with the He-Tah in which the petitioner or any family or household member named in the order resides or a certified copy of the order and proof of service is presented to the He-Tah;

3) The person named in the order has received notice of the order and has had a reasonable time to comply with such order; and,

4) The person named in the order has violated the order or is then acting in violation of the order.

E) A He-Tah, without a warrant, shall arrest and take into custody a person if:

1) The He-Tah has reasonable cause to believe that a foreign protective order has been issued, pursuant to the law of the state or tribal court where the foreign protective order was issued;

2) A certified copy of the foreign protective order has been presented to the He-Tah that appears valid on its face; and,

3) The He-Tah has reasonable cause to believe the person named in the order has violated the order or is then acting in violation of the order.

F) A person arrested pursuant to this section shall be brought before the court within twenty-four (24) hours after arrest to answer to a charge for violation of the order pursuant to this title, at which time the court shall:

1) set a time certain for a hearing on the alleged violation of the order within seventy-two (72) hours after arrest, unless extended by the Court on the motion of the arrested person;

2) set a reasonable bond pending a hearing of the alleged violation of the order; and,

3) notify the party who has procured the order and direct the party to appear at the hearing and give evidence on the charge.

G) The Court may also consider the safety of any and all alleged victims that are subject to the protection of the order prior to the court setting a reasonable bond pending a hearing of the alleged violation of the order.

H) A copy of a protective order shall be prima facie evidence that such order is valid in this state when such documentation is presented to a He-Tah by the petitioner, defendant, or another person on behalf of a person named in the order. He-Tah may rely on such evidence to make an arrest for a violation of such order, if there is reason to believe the defendant has violated or is then acting in violation of the order without justifiable excuse, and such reliance shall be immune from suit.

§ 23. Notice of Victim's Rights

A) Upon the preliminary investigation of any crime involving domestic violence, an act of sexual nature, harassment, or stalking, it shall be the duty of the first He-Tah who interviews the victim to inform the victim of how to contact the Quapaw Nation Domestic Violence Program and the twenty-four-hour statewide telephone communication service established by Section 18p-5 of Title 74 of the Oklahoma Statutes and to give notice to the victim of certain rights. The notice shall consist of handing such victim the following statement:

B) "As a victim of domestic violence, an act of sexual nature, harassment or stalking you have certain rights. These rights are as follows:

1) The right to request that charges be pressed against your assailant;

2) The right to request protection from any harm or threat of harm arising out of your cooperation with law enforcement and prosecution efforts as far as facilities are available and to be provided with information on the level of protection available;

3) The right to be informed of financial assistance and other social services available as a result of being a victim, including information on how to apply for the assistance and services; and

4) The right to file a petition for a protective order or, when the domestic violence occurs when the court is not open for business, to request an emergency temporary protective order."

Violence Against Women Act

Protection Order Definition

18 U.S.C. § 2266

(5) Protection order.—The term "protection order" includes—

(A) any injunction, restraining order, or any other order issued by a civil or criminal court for the purpose of preventing violent or threatening acts or harassment against, sexual violence, or contact or communication with or physical proximity to, another person, including any temporary or final order issued by a civil or criminal court whether obtained by filing an independent action or as a pendente lite order in another proceeding so long as any civil or criminal order was issued in response to a complaint, petition, or motion filed by or on behalf of a person seeking protection; and

(B) any support, child custody or visitation provisions, orders, remedies or relief issued as part of a protection order, restraining order, or injunction pursuant to State, tribal, territorial, or local law authorizing the issuance of protection orders, restraining orders, or injunctions for the protection of victims of domestic violence, sexual assault, dating violence, or stalking.

Relationship Guidance

18 U.S.C. § 2266

(7) Spouse or intimate partner.—The term "spouse or intimate partner" includes—

(A) for purposes of—

(i) sections other than 2261A—

(I) a spouse or former spouse of the abuser, a person who shares a child in common with the abuser, and a person who cohabits or has cohabited as a spouse with the abuser; or

(II) a person who is or has been in a social relationship of a romantic or intimate nature with the abuser, as determined by the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship; and

(ii) section 2261A—

(I) a spouse or former spouse of the target of the stalking, a person who shares a child in common with the target of the stalking, and a person who cohabits or has cohabited as a spouse with the target of the stalking; or

(II) a person who is or has been in a social relationship of a romantic or intimate nature with the target of the stalking, as determined by the length of the relationship, the type of the relationship, and the frequency of interaction between the persons involved in the relationship.[1]

(B) any other person similarly situated to a spouse who is protected by the domestic or family violence laws of the State or tribal jurisdiction in which the injury occurred or where the victim resides.

Full Faith and Credit

18 U.S.C. § 2265

(a) FULL FAITH AND CREDIT.—

Any protection order issued that is consistent with subsection (b) of this section by the court of oneState, Indian tribe, or territory (the issuing State, Indian tribe, or territory) shall be accorded full faith and credit by the court of another State, Indian tribe, or territory (the enforcing State, Indian tribe, or territory) and enforced by the court and law enforcement personnel of the other State, Indian tribal government or Territory [1] as if it were the order of the enforcing State or tribe.

(b) PROTECTION ORDER.—A protection order issued by a State, tribal, or territorial court is consistent with this subsection if—

(1) such court has jurisdiction over the parties and matter under the law of such State, Indian tribe, or territory; and

(2) reasonable notice and opportunity to be heard is given to the person against whom the order is sought sufficient to protect that person's right to due process. In the case of ex parte orders, notice and opportunity to be heard must be provided within the time required by State, tribal, or territorial law, and in any event within a reasonable time after the order is issued, sufficient to protect the respondent's due process rights.

(c) CROSS OR COUNTER PETITION.—A protection order issued by a State, tribal, or territorial court against one who has petitioned, filed a complaint, or otherwise filed a written pleading for protection against abuse by a spouse or intimate partner is not entitled to full faith and credit if—

(1) no cross or counter petition, complaint, or other written pleading was filed seeking such a protection order; or

(2) a cross or counter petition has been filed and the court did not make specific findings that each party was entitled to such an order.

(d) NOTIFICATION AND REGISTRATION.—

(1) NOTIFICATION.—

A State, Indian tribe, or territory according full faith and credit to an order by a court of another State, Indian tribe, or territory shall not notify or require notification of the party against whom a protection order has been issued that the protection order has been registered or filed in that enforcing State, tribal, or territorial jurisdiction unless requested to do so by the party protected under such order.

(2) NO PRIOR REGISTRATION OR FILING AS PREREQUISITE FOR ENFORCEMENT.—

Any protection order that is otherwise consistent with this section shall be accorded full faith and credit, notwithstanding failure to comply with any requirement that the order be registered or filed in the enforcing State, tribal, or territorial jurisdiction.

(3) LIMITS ON INTERNET PUBLICATION OF REGISTRATION INFORMATION.—

A State, Indian tribe, or territory shall not make available publicly on the Internet any information regarding the registration, filing of a petition for, or issuance of a protection order, restraining order, or injunction in either the issuing or enforcing State, tribal or territorial jurisdiction, if such publication would be likely to publicly reveal the identity or location of the party protected under such order. A State, Indian tribe, or territory may share court-generated and law enforcement-generated information contained in secure, governmental registries for protection order enforcement purposes. The prohibition under this paragraph applies to all protection orders for the protection of a person residing within a State, territorial, or Tribal jurisdiction, whether or not the protection order was issued by that State, territory, or Tribe.

(e) TRIBAL COURT JURISDICTION.—

For purposes of this section, a court of an Indian tribe shall have full civil jurisdiction to issue and enforce protection orders involving any person, including the authority to enforce any orders through civil contempt proceedings, to exclude violators from Indian land, and to use other appropriate mechanisms, in matters arising anywhere in the Indian country of the Indian tribe (as defined in section 1151) or otherwise within the authority of the Indian tribe.

Oklahoma Laws and Definitions

Uniform Interstate Enforcement of Domestic Violence Protection Orders Act

22 OK Stat § 60.22 (2025)

As used in the Uniform Interstate Enforcement of Domestic Violence Protection Orders Act:

1. “Foreign protection order” means a protection order issued by a tribunal of another state;

2. “Issuing state” means the state whose tribunal issues a protection order;

3. “Mutual foreign protection order” means a foreign protection order that includes provisions in favor of both the protected individual seeking enforcement of the order and the respondent;

4. “Protected individual” means an individual protected by a protection order;

5. “Protection order” means an injunction or other order, issued by a tribunal under the domestic violence, family violence, or anti-stalking laws of the issuing state, to prevent an individual from engaging in violent or threatening acts against, harassment of, contact or communication with, or physical proximity to, another individual;

6. “Respondent” means the individual against whom enforcement of a protection order is sought;

7. “State” means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States. The term includes an Indian tribe or band that has jurisdiction to issue protection orders; and

8. “Tribunal” means a court, agency, or other entity authorized by law to issue or modify a protection order.

22 OK Stat § 60.23 (2025)
Judicial Enforcement of Foreign Protection Order.

A. A person authorized by the law of this state to seek enforcement of a protection order may seek enforcement of a valid foreign protection order in a tribunal of this state. The tribunal shall enforce the terms of the order, including terms that provide relief that a tribunal of this state would lack power to provide but for this section. The tribunal shall enforce the order, whether the order was obtained by independent action or in another proceeding, if it is an order issued in response to a complaint, petition, or motion filed by or on behalf of an individual seeking protection. In a proceeding to enforce a foreign protection order, the tribunal shall follow the procedures of this state for the enforcement of protection orders.

B. A tribunal of this state may not enforce a foreign protection order issued by a tribunal of a state that does not recognize the standing of a protected individual to seek enforcement of the order.

C. A tribunal of this state shall enforce the provisions of a valid foreign protection order which govern custody and visitation, if the order was issued in accordance with the jurisdictional requirements governing the issuance of custody and visitation orders in the issuing state.

D. A foreign protection order is valid if it:

1. Identifies the protected individual and the respondent;

2. Is currently in effect;

3. Was issued by a tribunal that had jurisdiction over the parties and subject matter under the law of the issuing state; and

4. Was issued after the respondent was given reasonable notice and had an opportunity to be heard before the tribunal issued the order or, in the case of an order ex parte, the respondent was given notice and has had or will have an opportunity to be heard within a reasonable time after the order was issued, in a manner consistent with the rights of the respondent to due process.

E. A foreign protection order valid on its face is prima facie evidence of its validity.

F. Absence of any of the criteria for validity of a foreign protection order is an affirmative defense in an action seeking enforcement of the order.

G. A tribunal of this state may enforce provisions of a mutual foreign protection order which favor a respondent only if:

1. The respondent filed a written pleading seeking a protection order from the tribunal of the issuing state; and

2. The tribunal of the issuing state made specific findings in favor of the respondent.

22 OK Stat § 60.24 (2025)
Nonjudicial enforcement of foreign protection order.

A. A law enforcement officer of this state, upon determining that there is probable cause to believe that a valid foreign protection order exists and that the order has been violated, shall enforce the order as if it were the order of a tribunal of this state. Presentation of a protection order that identifies both the protected individual and the respondent and, on its face, is currently in effect constitutes probable cause to believe that a valid foreign protection order exists. For the purposes of this section, the protection order may be inscribed on a tangible medium or may have been stored in an electronic or other medium if it is retrievable in perceivable form. Presentation of a certified copy of a protection order is not required for enforcement.

B. If a foreign protection order is not presented, a law enforcement officer of this state may consider other information in determining whether there is probable cause to believe that a valid foreign protection order exists.

C. If a law enforcement officer of this state determines that an otherwise valid foreign protection order cannot be enforced because the respondent has not been notified or served with the order, the officer shall inform the respondent of the order, make a reasonable effort to serve the order upon the respondent, and allow the respondent a reasonable opportunity to comply with the order before enforcing the order.

D. Registration or filing of an order in this state is not required for the enforcement of a valid foreign protection order pursuant to this act.

22 OK Stat § 60.25 (2025)
Registration of foreign orders - Certified copy - Inaccurate orders - Affidavits - Fee.

A. Any individual may register a foreign protection order in this state. To register a foreign protection order, an individual shall:

1. Present a certified copy of the order to the Secretary of State; or

2. Present a certified copy of the order to a law enforcement officer and request that the order be registered with the Secretary of State.

B. Upon receipt of a foreign protection order, the Secretary of State shall register the order in accordance with this section. After the order is registered, the Secretary of State shall furnish to the individual registering the order a certified copy of the registered order.

C. The Secretary of State shall register an order upon presentation of a copy of a protection order which has been certified by the issuing state. A registered foreign protection order that is inaccurate or is not currently in effect must be corrected or removed from the registry in accordance with the law of this state.

D. An individual registering a foreign protection order shall file an affidavit by the protected individual stating that, to the best of the protected individual's knowledge, the order is currently in effect.

E. A foreign protection order registered under this act may be entered in any existing state or federal registry of protection orders, in accordance with applicable law.

F. A fee may not be charged for the registration of a foreign protection order.

22 OK Stat § 60.26 (2025)
Immunity from Liability
This state or a local governmental agency, or a law enforcement officer, prosecuting attorney, clerk of court, or any state or local governmental official acting in an official capacity, is immune from civil and criminal liability for an act or omission arising out of the registration or enforcement of a foreign protection order or the detention or arrest of an alleged violator of a foreign protection order if the act or omission was done in good faith in an effort to comply with this act.

Oklahoma Court Rules

Ok. Stat. Ann. T. 12, Ch. 2, App., Rule 30
Rule 30. Standards for Recognition of Judicial Proceedings in Tribal Courts--Full Faith and Credit
A. Standards
(1) "Tribal Court" means any court or constitutionally established tribunal of any federally recognized Indian nation, tribe, pueblo, band, or Alaska Native village, duly established

under federal law or tribal law, including Courts of Indian Offenses organized pursuant to Title 25, Part 11 of the Code of Federal Regulations.
(2) “Judicial Officer” means any judge, justice, magistrate or other officer duly seated and authorized under federal or tribal law to resolve disputes and enter tribal judgments in a tribal court.
(3) “Tribal Judgment” means any final written judgment, decree or order of a tribal court duly signed by a judicial officer and filed in a Tribal Court.
B. Recognition of Tribal Judgments--Full Faith and Credit. The district courts of the State of Oklahoma shall grant full faith and credit and cause to be enforced any tribal judgment where the tribal court that issued the judgment grants reciprocity to judgments of the courts of the State of Oklahoma, provided, a tribal court judgment shall receive no greater effect or full faith and credit under this rule than would a similar or comparable judgment of a sister state.
C. Listing of Tribal Courts Granting Reciprocity. A list of the tribal courts that grant full faith and credit to the courts of the State of Oklahoma shall be maintained by the Administrative Office of the Courts. Any tribal court may provide the Administrative Office of the Courts a copy of the tribal ordinance, statute, court rule or other evidence that demonstrates that the tribal court grants reciprocity to the courts of the State of Oklahoma.
D. Filing of Tribal Judgments. A copy of any tribal judgment authenticated in accordance with the applicable act of Congress or of the statutes of this state or the law of the tribe may be filed in the office of the district court clerk of any county of this state. The district court clerk shall treat the tribal judgment in the same manner as a judgment of the district court of any county of this state which may be enforced or satisfied in like manner.
E. Notice of Filing
(1) At the time of the filing of the tribal judgment with the district court clerk, the party filing the judgment or that party's attorney shall make and file with the district court clerk an affidavit setting forth the name and last-known address of all parties in the action, including the name and last-known address of any party's attorney.
(2) Promptly upon the filing of the tribal judgment and the affidavit, the district court clerk shall mail notice of the filing of the tribal court judgment to the party against whom the judgment was rendered at the address given and shall make a note of the mailing in the docket. The notice shall include the name and address of the party filing the judgment, and that party's attorney, if any. In addition, the party filing the judgment shall mail a notice of the filing of the judgment to the party against whom judgment was rendered and shall file an affidavit proving the mailing of the notice with the district court clerk within ten (10) days of the date that the tribal judgment was filed with the district court clerk. Failure of the district court clerk to mail the notice of filing of the judgment shall not affect the

enforcement proceedings if an affidavit proving the mailing of the notice has been filed by the party filing the judgment.

(3) No execution or other process for enforcement of a tribal court judgment filed hereunder shall issue until the affidavit proving the mailing of the notice has been filed with the district court clerk, and twenty (20) days have expired from the date the judgment was filed in the district court.