

**Full Faith And Credit Provisions of  
The Violence Against Women Act  
18 U.S.C. §§ 2265 - 2266 (2000)**

**§ 2265 Full Faith and Credit Given to Protection Orders**

(a) **FULL FAITH AND CREDIT.** - Any protection order issued that is consistent with subsection (b) of this section by the court of one State or Indian tribe (the issuing State or Indian tribe) shall be accorded full faith and credit by the court of another State or Indian tribe (the enforcing State or Indian tribe) and enforced as if it were the order of the enforcing State or tribe.

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

(1) such court has jurisdiction over the parties and matter under the law of such State or Indian tribe; 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 or tribal 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 or tribal 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 or Indian tribe according full faith and credit to an order by a court of another State or Indian tribe 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 or tribal 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 or tribal jurisdiction.

(e) **TRIBAL COURT JURISDICTION.** - For purposes of this section, a tribal court shall have full civil jurisdiction to enforce protection orders, including authority to enforce any orders through civil contempt proceedings, exclusion of violators from Indian lands, and other appropriate mechanisms, in matters arising within the authority of the tribe.

**§ 2266 Definitions**

(5) **PROTECTION ORDER.** - The term "protection order" includes any injunction or other order issued 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 temporary or final order issued by a civil and criminal court (other than a support or child custody order **issued pursuant to State divorce and child custody laws, except to the extent that such an order is entitled to full faith and credit under other Federal law**) whether obtained by filing an independent action or as a pendente lite order in another proceeding so long as any civil order was issued in response to a complaint, petition or motion filed by or on behalf of a person seeking protection.

(8) **STATE.** - The term "State" includes a State of the United States, the District of Columbia, and a commonwealth, territory, or possession of the United States.

*Language that appears in bold print was added on October 28, 2000 as part of the Violence Against Women Act of 2000.*