1   Introduced by Committee on Judiciary

2   Date:

3   Subject: Domestic relations; abuse prevention; temporary relief from abuse

4   orders

5   Statement of purpose of bill as introduced: This bill proposes to specify the

6   duration of temporary relief from abuse orders.

7   An act relating to the duration of temporary relief from abuse orders

8   It is hereby enacted by the General Assembly of the State of Vermont:

9   Sec. 1. 15 V.S.A. § 1105 is amended to read:

10   § 1105. SERVICE

11   (a) A complaint or ex parte temporary order or final order issued under this

12   chapter shall be served in accordance with the Vermont Rules of Civil

13   Procedure and may be served by any law enforcement officer. A court that

14   issues an order under this chapter during court hours shall promptly transmit

15   the order electronically or by other means to a law enforcement agency for

16   service.

17   (b)(1) A defendant who attends a hearing held under section 1103 or 1104

18   of this title at which a temporary or final order under this chapter is issued and

19   who receives notice from the court on the record that the order has been issued

20   shall be deemed to have been served. A defendant notified by the court on the

1   record shall be required to adhere immediately to the provisions of the order.

2   However, even when the court has previously notified the defendant of the

3   order, the court shall transmit the order for additional service by a law

4   enforcement agency.

5   (2) An ex parte temporary order issued under this chapter shall remain

6   in effect until either it is dismissed by the court or the petition is denied at the

7   final hearing. If the plaintiff fails to appear at the final hearing the petition

8   shall be dismissed, unless the court makes findings on the record stating why

9   there is good cause not to dismiss the petition. If a final order is issued, the

10   temporary order shall remain in effect until personal service of the final order.

11   Sec. 2. EFFECTIVE DATE

12   This act shall take effect on passage.