
How to Serve a Protective Order in Oklahoma

A Step-by-Step Guide for Survivors,
Advocates, and Process Servers

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Table of Contents

What Is a Protective Order?	3
Required Documents Checklist	3
Timeline and Deadlines	4
Emergency Deadlines.....	4
Service Methods Comparison	5
Step-by-Step Procedure	6
Step 1: File the Petition.....	6
Step 2: Obtain the Ex Parte Order.....	6
Step 3: Arrange for Service.....	7
Step 4: Serve the Respondent.....	7
Step 5: File Proof of Service.....	8
Step 6: Attend the Full Hearing.....	8
Step 7: Serve the Full Order.....	8
Firearm Surrender Provisions	9
Confidential Address Protections	9
Common Reasons Service Fails	10
Important Disclaimer	11



What Is a Protective Order?

A protective order is a court order that tells someone to stop harming or threatening you. In Oklahoma, protective orders are governed by Title 22 of the Oklahoma Statutes. They are civil orders, not criminal charges. However, violating a protective order is a crime.

There are two main types of protective orders in Oklahoma:

- Ex Parte (Emergency) Order – Granted right away without the respondent present. It lasts until the full hearing.
- Full Protective Order — Granted after both parties attend a court hearing. It can last up to 5 years.

This guide explains how to serve each type of protective order in Oklahoma. Service means delivering the legal papers to the respondent (the person the order is against) in a way that follows the law.

Required Documents Checklist

Before you begin, make sure you have all the documents listed below. Check each item as you gather it:

	Document	Purpose
<input type="checkbox"/>	Petition for Protective Order	Starts the court case
<input type="checkbox"/>	Ex Parte Order (if granted)	Temporary protection before hearing
<input type="checkbox"/>	Summons or Notice of Hearing	Tells respondent when to come to court
<input type="checkbox"/>	Full Protective Order (after hearing)	Long-term protection if granted
<input type="checkbox"/>	Proof of Service Form	Shows the court the papers were delivered
<input type="checkbox"/>	Photo of Respondent (if available)	Helps the server identify the person
<input type="checkbox"/>	Respondent's Address or Location	Where the server can find them
<input type="checkbox"/>	Your Photo ID	May be needed when filing



Keep copies of every document for your own records. The court keeps the original. You will need extra copies for service.

Timeline and Deadlines

Protective orders have strict deadlines. Missing a deadline can delay your protection or cause the case to be dismissed. The table below shows the key deadlines under Oklahoma law.

Stage	Deadline	Legal Citation
File Petition	Any time – no waiting period	22 O.S. § 60.4
Ex Parte Order	Same day or within 24 hours	22 O.S. § 60.5
Service of Ex Parte Order	Before the hearing date	22 O.S. § 60.7
Full Hearing Date	Within 14 days of filing	22 O.S. § 60.7
Serve Notice of Hearing	At least 48 hours before hearing	22 O.S. § 60.7
File Proof of Service	Promptly after service	12 O.S. § 2004(G)
Full Order Takes Effect	When served on respondent	22 O.S. § 60.8
Firearm Surrender	Within 24 hours of service	22 O.S. § 60.17

Emergency Deadlines

If you are in immediate danger, call 911. For emergency protective orders:

- Ex parte orders can be granted the same day you file the petition.
- Law enforcement can serve the ex parte order within hours.
- The full hearing must be held within 14 days. Verify the exact hearing date with the court.

Note: 22 O.S. § 60.25 states that NO filing fees and NO service fees are charged for protective orders. The court cannot charge you to file or serve a protective order unless the court finds the petition was filed frivolously.

Service Methods Comparison

Personal service is required for a full protective order. Substituted service (leaving papers with someone else at the home) is NOT enough for a full order. The table below compares the methods.

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Service Method	Allowed for Ex Parte	Allowed for Full Order	Notes
Personal Service (hand to respondent)	Yes	Yes – Required	Best method. Server hands papers directly to respondent.
Law Enforcement Service	Yes	Yes	Sheriff or police can serve. No cost for protective orders.
Private Process Server	Yes	Yes	Licensed under 12 O.S. § 158.1. No cost to plaintiff.
Substituted Service (leave with adult at home)	No	No	NOT allowed for protective orders.
Service by Mail	No	No	NOT allowed for protective orders.
Publication	No	No	NOT allowed for protective orders.

Key Rule: The respondent must receive the papers in person before the hearing date. If the respondent is not served in person, the hearing may be delayed or the order may not be enforceable.

Step-by-Step Procedure

Follow these steps to file and serve a protective order in Oklahoma. Each step builds on the one before it.

Step 1: File the Petition

0. Go to the district court in the county where you live or where the abuse happened. You can also file in the county where the respondent lives.
1. Ask the court clerk for a Petition for Protective Order form. Many courts have these forms available. You can also check the Oklahoma Supreme Court Network (OSCN) website.
2. Fill out the petition. Write clearly. Describe what happened and why you need protection. Include dates if you remember them.
3. Sign the petition in front of a notary or court clerk. Your signature must be notarized.
4. File the petition with the court clerk. There is NO filing fee. 22 O.S. § 60.25 prohibits filing fees



for protective orders.

After you file, the court will review your petition. If the judge finds there is immediate danger, they will sign an Ex Parte Order of Protection.

Step 2: Obtain the Ex Parte Order

5. Wait for the judge to review your petition. This may take a few hours.
6. If the judge grants the ex parte order, the court clerk will give you certified copies.
7. Ask for at least 3 certified copies. You need one for service, one for your records, and one to keep with you at all times.
8. The ex parte order will include a hearing date. The hearing must be within 14 days. Write this date down.

The ex parte order is temporary. It protects you until the full hearing. But it only works if the respondent knows about it. That is why service is so important.

Step 3: Arrange for Service

9. Tell the court clerk you need the respondent served. The clerk will prepare a summons or notice of hearing.
10. Choose who will serve the papers. Your options are:
 - Law enforcement (sheriff or police) – No cost. Call your local sheriff's office.
 - Licensed private process server – No cost to you for protective orders.
11. Give the server the following items:
 - Certified copy of the ex parte order
 - Notice of hearing or summons
 - A copy of your petition
 - The respondent's home address, work address, or other locations where they can be found
 - A photo of the respondent, if you have one

Important: 22 O.S. § 60.25 states that NO service fees are charged for protective orders. The plaintiff does not pay for service.



Step 4: Serve the Respondent

12. The server must hand the papers to the respondent in person. This is called personal service.
13. The server must tell the respondent what the papers are.
14. The server writes the date and time of service on the copy left with the respondent. 12 O.S. § 2004(D) requires this.
15. If the respondent refuses to take the papers, the server can drop them at the respondent's feet. This still counts as service.
16. The server cannot leave papers with a family member, roommate, or coworker for a full protective order. Personal delivery to the respondent is required.

Service must happen before the hearing date. If the respondent is not served in time, the hearing may be postponed.

Step 5: File Proof of Service

17. After service, the server must complete a Proof of Service form (also called an Affidavit of Service or Return of Service).
18. The server must sign the form. If it is a private process server, they must have it notarized. 12 O.S. § 2004(G) requires licensed process servers to make affidavit of service.
19. The proof of service must include:
 - The name of the person served
 - The date of service
 - The place (address) of service
 - The method of service (personal delivery)
20. File the proof of service with the court clerk as soon as possible.

Keep a copy of the proof of service for your records. The court needs this to show the respondent had notice of the hearing.

Step 6: Attend the Full Hearing

21. Go to court on the hearing date. Bring all your evidence and witnesses.
22. If the respondent was served but does not show up, the hearing may proceed without them.



23. If the respondent was NOT served, tell the judge. The hearing may be rescheduled.

24. If the judge grants a full protective order, the order will be written and signed by the judge.

Get certified copies of the full order. You will need these for the next step.

Step 7: Serve the Full Protective Order

25. The full protective order must also be served on the respondent personally.

26. Use the same method as before: law enforcement or a licensed private process server.

27. The server hands the respondent a certified copy of the full order.

28. File another proof of service with the court.

The full order takes effect as soon as the respondent is served. Until then, the ex parte order (if still in effect) provides protection.

Firearm Surrender Provisions

Under Oklahoma law, a respondent who is served with a protective order may be required to surrender their firearms. Here is what you should know:

- If the protective order includes a firearm restriction, the respondent must surrender firearms within 24 hours of being served.
- The respondent must give their firearms to law enforcement or a licensed firearms dealer.
- The respondent cannot buy new firearms while the order is in effect.
- Violating the firearm provision is a serious crime under federal and state law.

Verify the exact firearm provisions in your protective order with the court. Not all orders include firearm restrictions.

Confidential Address Protections

If you are worried about the respondent finding out where you live, Oklahoma law provides protections:

- You can request that your address be kept confidential on court papers.
- The court can use a substitute address for mailings.



- Law enforcement has access to your real address for service and safety purposes.
- You do not have to write your full address on the petition if safety is a concern. Ask the court clerk about address confidentiality options.

For more protection, you can also enroll in the Oklahoma Address Confidentiality Program (ACP) through the Attorney General's office. Verify current program details with the Oklahoma Attorney General.

Common Reasons Service Fails

Service fails when the respondent does not receive the papers properly. A failed service can delay your protection. Below are the most common reasons service fails and how to avoid them.

Reason	What Happens	How to Avoid It
Wrong Address	Server goes to old or incorrect address. Respondent is not there.	Double-check the address. Ask friends, employers, or family for current location. Use skip tracing if needed.
Respondent Hiding	Respondent knows about the case and avoids being found.	Give the server work hours, hangout spots, and vehicle description. Schedule service at different times.
Service Too Late	Papers are delivered after the hearing date.	Arrange service immediately after filing. Follow up with the server every 24-48 hours.
Wrong Person Served	Server gives papers to someone with the same name.	Provide the server with a photo and physical description. Include date of birth if known.
Substituted Service	Server leaves papers with family member or roommate.	Insist on personal service only. Tell the server not to use substituted service.
No Proof Filed	Service happened but proof was not filed with court.	Ask the server for a copy of the affidavit. Follow up to make sure it was filed.
Server Not Licensed	Unlicensed person serves the papers. Service may be invalid.	Use law enforcement or a licensed process server under 12 O.S. § 158.1.



Reason	What Happens	How to Avoid It
Respondent Out of State	Respondent moved to another state.	Contact the court about serving out-of-state. Use long-arm service rules. Verify with the court.

If service fails, contact the court clerk right away. The court may extend the hearing date or allow alternative service methods. Do not wait until the last minute.



Important Disclaimer

Not a law firm. This document provides procedural information only.

This guide is published by Just Legal Solutions for educational purposes. It is not legal advice. The information is based on Oklahoma statutes as of the date of publication. Laws may change. Procedures may vary by county.

If you need legal advice, contact a licensed Oklahoma attorney or one of these resources:

- Oklahoma Bar Association Lawyer Referral: (405) 524-2365
- Legal Aid Services of Oklahoma: 1-888-534-5243
- Oklahoma Coalition Against Domestic Violence and Sexual Assault: (405) 524-0700
- National Domestic Violence Hotline: 1-800-799-7233
- Emergency: Call 911

Every effort has been made to ensure accuracy. However, statutes, court rules, and procedures change. Verify all deadlines, fees, and requirements with the court clerk before filing or serving any document.

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