



Judicial Resources

created by

The National Center on Protection Orders and Full Faith and Credit

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Judges play an integral and unique role in a community’s response to domestic violence, dating violence, sexual assault, and stalking. Judges are charged with applying, interpreting and enforcing the law “fairly, impartially and diligently” in individual cases involving domestic violence.¹ Judges are “in a unique position to contribute to the law, the legal system, and the administration of justice, including revising substantive and procedural law and improving criminal and juvenile justice.”²

Judges as neutral decision-makers in protection order cases face challenges when they must navigate the intersection of federal and local laws. While domestic violence is primarily treated as a state issue, federal law applies to issues such as interstate enforcement of protection orders, immigration relief, and firearm prohibitions when a protection order is issued. In addition, receipt of federal grants can cause additional restrictions on jurisdictions and judicial obligations. Furthermore, new laws, such as Extreme Risk Protection Orders, have been implemented with judges tasked with the substantial responsibility of interpreting these laws without precedence. NCPOFFC has resources designed specifically for judges to address these nuanced issues:

Guide to Judicial Notification

Jurisdictions that receive STOP (Services, Training, Officers, and Prosecutors) Violence Against Women Formula Grant Program funding, are required to certify that their judicial policies and practices include notification to offenders of the firearm prohibitions when subject to a qualifying protection order or when convicted of a misdemeanor crime of domestic violence. All states receive STOP funding. Therefore, every state has certified that their policies and practice include judicial notification of firearm prohibitions for domestic violence offenders. This Guide explains the grant certification requirement and how courts can ensure that their judicial policies and practices comply with their grant certification.

Firearms and Domestic Violence Bench Resource for Judges

This bench resource details the requirements of protection orders and misdemeanor domestic violence convictions to implicate the federal firearm prohibitions under 18 U.S.C. § 922(g)(8)-(9). This bench resource also provides considerations for judges when enforcing state firearms prohibitions, including surrender protocol and return of firearms.

1. U.S. Courts, Code of Conduct for U.S. Judges (2019), Canon 3, available at <https://www.uscourts.gov/administration-policies/judiciary-policies/ethics-policies/code-conduct-united-states-judges#e>.

2. Id. at Canon 4(A)(1), cmt. 4.

Judicial Strategies to Prevent Firearms Violence Through Extreme Risk Protection Orders and Domestic Violence Protection Orders Webinar

In collaboration with the National ERPO Resource Center at the Johns Hopkins Center for Gun Violence Solutions, the National Council of Juvenile and Family Court Judges, and the National Resource Center on Domestic Violence and Firearms, this presentation gave an overview of the intersection between firearms and domestic violence, and the critical yet unique roles of Domestic Violence Protection Orders (DVPOs) and Extreme Risk Protection Orders (ERPOs) in promoting safety for survivors of intimate partner violence and communities-at-large. Following this overview, a panel of judges engaged in a facilitated discussion on effective judicial strategies for the issuance, implementation and enforcement of DVPOs and ERPOs.

These judicial resources, and more, can be found on [The Learning Community](#). In addition, the [National Center for Juvenile and Family Court Judges](#) has many resources, including bench guides and webinars, for judges on a variety of domestic violence issues.



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If you have questions or would like training or technical assistance on protection order issuance or enforcement, please email

NCPOFFC at ncffc@bwjp.org or call 1-800-903-0111 prompt 2.

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