Basic Flow Chart of the Process for Obtaining a One Year Extreme Risk Firearm Protection Order

Reporting Party requests law enforcement agency to file a petition for an **ERFPO**



Law Enforcement agency agrees to file a petition for an ERFPO and files petition in **District Court of** the County of Respondent's residence



District Court will either grant or deny a Temporary **ERFPO** (Standard Probable Cause)



District Court if granting will file a Temporary ERFPO enjoining the respondent from having firearms



Within 10 days of the issuance of the Temporary ERFPO hearing to determine if a one year order is appropriate (Standard by a Preponderance of the Evidence)



Order is Granted



Prior to one month before the expiration of the one year order, Law Enforcement Officer may petition for extension one vear at a time





Law Enforcement agency DECLINES to file petition for an ERFPO and files a notice with Sherriff's Office of the County of Respondent's residence

District Court may order including the reason for denial. denied. If Petition is dismissed at this may be refiled.

deny and will file an One Year ERFPO may still be granted even if temporary order is point if appropriate



If granted, Respondent is entitled to request termination of the ERFPO from the District Court. Regardless of whether it is denied or granted, it is immediately appealable through the Court of Appeals.