

# Những Lệnh Bảo Vệ

## Lệnh bảo vệ là gì?

Lệnh bảo vệ là lệnh tòa cấp để bảo vệ quý vị đối với người đã bạo hành hoặc đe dọa bạo hành.

## Lệnh bảo vệ giúp tôi như thế nào?

Lệnh này có thể ra lệnh cho người kia phải:

- Không được gây tổn thương hoặc đe dọa gây tổn thương đến quý vị
- Không được liên lạc với quý vị hoặc đến gần quý vị, các con của quý vị, nhà quý vị, nơi quý vị làm việc, hoặc trường của các con của quý vị
- Không được có súng hoặc giấy phép mang súng

Cảnh sát có thể bắt người đó nếu họ vi phạm bất cứ lệnh nào trong số này.

## Tôi có thể xin lệnh bảo vệ hay không?

Quý vị có thể xin lệnh bảo vệ nếu:

- Có người đã gây tổn thương, hoặc đe dọa gây tổn thương đến quý vị, **và**
- Quý vị có quan hệ mật thiết với người đó (quý vị đã hoặc đang kết hôn, hẹn hò hoặc sống chung, có con với nhau hoặc là thân nhân gần), **và**
- Quý vị sợ người đó sẽ gây tổn thương cho mình nữa.

## Tốn bao nhiêu tiền?

Quý vị không phải trả tiền.

## Làm thế nào để tôi xin lệnh bảo vệ?

Hãy điền những mẫu đơn trong tập này:

- *Application for Protective Order*
- *Temporary Ex Parte Protective Order*
- *Protective Order*
- *Respondent Information*



## Tôi nộp các mẫu đơn này ở đâu?

Sau khi quý vị điền đơn, đem các mẫu đơn này cùng với 2 bản sao đến tòa. Nộp các đơn này tại quận nơi quý vị hoặc người kia cư ngụ. Nhưng nếu quý vị đang chờ một vụ xử lý dị hoặc nuôi giữ con với người kia, hãy điền các mẫu đơn này tại cùng quận đó hoặc quận nơi quý vị cư ngụ.

## Nếu người kia và tôi sống với nhau và có con với nhau thì sao?

Tòa có thể cấp các lệnh cho người nào được quyền sử dụng nhà, apartment hoặc xe.

Tòa cũng có thể cấp các lệnh khác, chẳng hạn như lệnh nuôi giữ con cái, cấp dưỡng cho con, thăm viếng, và chu cấp cho người phối ngẫu.

## Tôi có được bảo vệ ngay hay không?

Tòa có thể cấp lệnh bảo vệ tạm thời để bảo vệ quý vị cho đến khi có phiên xử về trường hợp quý vị. Lệnh này được gọi là “Lệnh Bảo Vệ Khiếm Diện Tạm Thời”.

Trong một số trường hợp, tòa ra lệnh cho người kia phải rời khỏi nhà ngay. Nếu quý vị muốn thế, quý vị phải xin tòa. Hãy chuẩn bị sẵn sàng ra khai trong phiên xử khi quý vị nộp Đơn.

## Tôi có phải ra tòa hay không?

Có. Dù quý vị được cấp Lệnh Bảo Vệ Khiếm Diện Tạm Thời, quý vị phải ra phiên xử kế tiếp. Phiên xử này sẽ được tổ chức sau đó khoảng 2 tuần. Tòa sẽ quyết định quý vị có cần được bảo vệ hay không và trong bao lâu. Nếu quý vị không ra tòa, Lệnh Bảo Vệ Khiếm Diện Tạm Thời có thể chấm dứt.

Hãy đọc tài liệu Chuẩn Bị Ra Tòa trong tập này. Hoặc xin lục sự tòa cho tài liệu này hoặc lấy từ:

[www.texaslawhelp.org/protectiveorderkit](http://www.texaslawhelp.org/protectiveorderkit)

## Làm thế nào để người kia biết về lệnh bảo vệ?

Quý vị phải nhờ “tổng đạt” văn kiện cho người kia **trước khi** có phiên xử. Điều này có nghĩa là một người nào đó—chứ không phải quý vị—sẽ tổng đạt cho người kia một bản sao của đơn xin lệnh bảo vệ của quý vị.

Lục sự có thể sắp xếp để nhờ cơ quan công lực tổng đạt giấy tờ tòa cho người kia MIỄN PHÍ (cho quý vị).

## Cần được giúp?

Mỗi mẫu đơn đều có tờ chỉ dẫn. Nhưng, nếu quý vị cần được giúp thêm, hãy liên lạc với:

Đường Dây Pháp Lý Bạo Hành trong Gia Đình:  
**800-374-HOPE**

Hoặc, đến:

[www.texaslawhelp.org/protectiveorderkit](http://www.texaslawhelp.org/protectiveorderkit)

Tuy quý vị có thể nộp các mẫu đơn này mà không cần có luật sư, quý vị nên nhờ luật sư giúp trong tiến trình này. Quận hoặc biện lý địa hạt hoặc văn phòng trợ giúp pháp lý có thể giúp miễn phí. Luật Sư Đoàn Tiểu Bang Texas cũng có thể giới thiệu luật sư nếu quý vị gọi số 800-252-9690.

# Chuẩn Bị Ra Tòa



## Đừng quên phiên tòa của quý vị!

Nếu quý vị quên, Lệnh Bảo Vệ Khiếm Diện Tạm Thời của quý vị có thể chấm dứt và quý vị sẽ phải bắt đầu lại từ đầu.

### Chuẩn bị.

- Điền và đem theo Lệnh Bảo Vệ trước khi quý vị ra tòa.
- Đem theo bất cứ bằng chứng nào quý vị có, chẳng hạn như hình ảnh, hồ sơ y khoa, quần áo bị xé rách. Cũng đem theo cả các nhân chứng biết về vụ bạo hành này, chẳng hạn như láng giềng, thân nhân hoặc cảnh sát. Tòa có thể yêu cầu họ ra khai.
- Đem theo bằng chứng về lợi tức và chi phí của quý vị và người kia, chẳng hạn như hóa đơn, cuống phiếu lương, trương mục ngân hàng, đơn khai thuế.
- Nếu Bằng Chứng Tổng Đạt được giao lại cho quý vị, hãy nộp cho lục sự và đem theo một bản sao đến tòa.

### Đến sớm 30 phút.

- Tìm phòng xử.
- Khi mở cửa phòng xử, vào phòng và cho lục sự hoặc viên chức tòa biết là quý vị có mặt.
- Xem những vụ khác để quý vị biết phải làm gì.
- Khi được gọi tên, hãy đến phía trước phòng xử.

### Nếu tôi không biết nói tiếng Anh thì sao?

Khi quý vị nộp hồ sơ, hãy cho lục sự biết là quý vị sẽ cần thông dịch viên.

Nếu không có thông dịch viên của tòa, hãy đem theo người thông dịch cho quý vị. Đừng nhờ trẻ em, một người được bảo vệ, hoặc nhân chứng thông dịch cho quý vị.

### Nếu tôi điếc thì sao?

Khi quý vị nộp hồ sơ, hãy xin một thông dịch viên cho người điếc hoặc phương tiện trợ giúp nào khác.

### Nếu tôi cần tiền cấp dưỡng cho con hoặc các lệnh viếng thăm con thì sao?

Hãy gọi cho Đường Dây Pháp Lý Bạo Hành Trong Gia Đình trước khi ra tòa: **800-374-HOPE**

### Nếu tôi sợ thì sao?

Nếu quý vị không cảm thấy an toàn, hãy gọi cho trung tâm khủng hoảng gia đình tại địa phương hoặc Đường Dây Hotline Toàn Quốc về Bạo Hành Trong Nhà: **800-799-SAFE**

### Thực tập những gì quý vị muốn nói.

Soạn một danh sách những lệnh quý vị muốn xin và tập nói ra. Đừng nói lâu hơn 3 phút những gì quý vị muốn nói.

Nếu quý vị hồi hộp trong phiên xử, chỉ đọc từ danh sách của mình. Dùng danh sách đó để xem tòa có cấp tất cả những lệnh quý vị xin hay không.

### Tòa có thể hỏi quý vị.

Người kia hoặc luật sư của họ cũng có thể hỏi quý vị. Hãy nói sự thật. Nói chậm rãi. Trả lời trọn vẹn.

Nếu quý vị không hiểu, hãy nói, “Tôi không hiểu câu hỏi.”

Chỉ nói với tòa trừ phi đến lượt quý vị đặt câu hỏi. Khi người khác nói với tòa, chờ cho họ nói xong. Sau đó quý vị có thể đặt câu hỏi về những gì họ nói.

### Diễn tiến sau phiên xử như thế nào?

Nếu tòa đồng ý là quý vị cần được bảo vệ, tòa sẽ ký Lệnh Bảo Vệ của quý vị.

Cầm lệnh đã ký đến lục sự tòa. Xin họ sao chụp thành nhiều bản lệnh của quý vị (hoặc sao chụp thêm) và luôn luôn giữ một bản với quý vị.

Giao bản sao lệnh của quý vị cho nơi giữ trẻ, người giữ trẻ, hoặc trường của trẻ. Nếu người kia vi phạm lệnh tòa, hãy gọi cảnh sát và xuất trình lệnh tòa cho họ xem.

### Cần được giúp?

Nếu quý vị gặp nguy hiểm, hãy gọi cảnh sát: **911**

Hoặc gọi cho Đường Dây Pháp Lý Bạo Hành Trong Gia Đình: **800-374-HOPE**

Hoặc đến:  
[www.texaslawhelp.org/protectiveorderkit](http://www.texaslawhelp.org/protectiveorderkit)

# **HOẠCH ĐỊNH AN TOÀN CÁ NHÂN**

*Tin tức do Texas RioGrande Legal Aid cung cấp*

## **AN TOÀN TRONG MỘT VỤ PHÁT NỔ**

- Nếu có cãi nhau, cố tìm chỗ có lối thoát ra ngoài. Tránh phòng tắm, nhà bếp hoặc bất cứ phòng nào có thể có vũ khí.
- Thực tập cách thoát ra an toàn. Biết là mình sẽ dùng cửa ra vào, cửa sổ, thang máy, thang chân, hoặc lối thoát hỏa hoạn nào.
- Để sẵn bóp và chìa khóa xe.
- Tìm bạn hoặc láng giềng nào mà quý vị có thể kể về chuyện bạo hành và nhờ họ gọi 911 nếu họ nghe tiếng ồn ào náo động trong nhà quý vị.
- Chọn một chữ làm mã tự để báo cho con cái, bạn bè và gia đình biết là quý vị cần được giúp.
- Hoạch định quý vị sẽ đi đâu nếu phải rời nhà & một nơi dự phòng (dù cho quý vị không nghĩ là cần đến).
- Trong trường hợp nguy hiểm, hãy chiều kẻ hành hạ nếu có thể được để người đó bình tĩnh. Quý vị có quyền tự bảo vệ mình cho đến khi hết nguy hiểm.

**Hãy nhớ: Quý vị không đáng phải chịu bị đánh đập hoặc đe dọa!**

## **AN TOÀN CHO CON CÁI**

- Hãy nói chuyện với con cái về một kế hoạch an toàn khi quý vị không có mặt ở gần các con.
- Cho trường và/hoặc nơi giữ trẻ biết ai được phép đón trẻ.
- Dạy cho trẻ biết cách gọi 911 để nhờ cảnh sát hoặc nhân viên cứu hỏa giúp.
- Thực tập kế hoạch thoát thân với các con, nếu thích ứng.

## **AN TOÀN KHI QUÝ VỊ CHUẨN BỊ BỎ ĐI**

- Những kẻ hành hạ bạo hành hơn nếu nghĩ rằng người bị họ hành hạ rời bỏ họ. Đây là lúc phải thận trọng nhất.
- Thuê riêng một hộp thư ở bưu điện để quý vị có thể nhận chi phiếu và thư từ.
- Mở một trương mục chi phiếu hoặc tiết kiệm dưới tên riêng của quý vị tại một ngân hàng khác và cố xin một thẻ tín dụng dưới tên riêng của mình, để có thể độc lập hơn.
- Gửi tiền, một chùm chìa khóa phụ, bản sao các giấy tờ quan trọng, quần áo dự phòng cho một người nào đó quý vị có thể tin cậy để có thể rời bỏ nhanh chóng.
- Luôn luôn cất tiền lẻ để gọi điện thoại. Dùng thẻ điện thoại không an toàn!
- Quý vị có thể tìm nơi tạm trú và trợ giúp bằng cách gọi số 1-800-799-SAFE. Tìm hiểu xem ai có thể cho quý vị ở với họ hoặc cho quý vị vay tiền.
- Nếu quý vị có thú nuôi trong nhà, sắp xếp để có người chăm sóc cho thú tại một nơi an toàn.
- Thường xuyên duyệt lại kế hoạch an toàn cá nhân của quý vị.

## **AN TOÀN VÀ SỨC KHỎE CẢM XÚC CỦA QUÝ VỊ**

- Kinh nghiệm bị người bạn tình đánh đập và chửi rủa thường tác động đến cảm xúc khiến mệt mỏi và đau khổ.
- Nếu quý vị đang nghĩ đến việc trở lại với người bạn tình hành hạ mình, hãy nói chuyện với người được quý vị tin cậy về những cách chọn lựa của quý vị.
- Hãy có các ý nghĩ tích cực về bản thân và khẳng định những gì quý vị cần.
- Dự định tham gia một nhóm tương trợ.
- Nếu quý vị phải nói chuyện với người bạn tình, đem theo một người để hỗ trợ tinh thần & gặp tại chỗ công cộng.

## **AN TOÀN Ở NHÀ**

- Dùng các ngân hàng, tiệm thực phẩm và thương xá khác. Đi mua sắm vào những giờ khác giờ quen thuộc khi còn ở chung với kẻ hành hạ. Thay đổi sinh hoạt thường nhật!
- Nếu quý vị ở nhà:
  - Đổi ổ khóa. Mua thêm ổ khóa cho cửa sổ, và đừng quên cửa ra sân.
  - Cho các láng giềng biết là kẻ hành hạ không còn ở đó nữa, và gọi cho cảnh sát nếu họ nhìn thấy kẻ hành hạ lảng vảng gần nhà quý vị.
  - Dò xem để chọn trả lời điện thoại gọi đến.
- Nếu quý vị dọn nhà:
  - Không bao giờ gọi cho kẻ hành hạ từ nhà quý vị, hoặc cho họ biết quý vị ở đâu.
  - Yêu cầu công ty điện thoại cấp một số không ghi trong niên giám điện thoại.

# THÊM VỀ HOẠCH ĐỊNH AN TOÀN CÁ NHÂN

## AN TOÀN TẠI NƠI LÀM VIỆC HOẶC CHỖ CÔNG CÔNG

- Thận trọng quyết định quý vị sẽ báo cho ai tại nơi làm việc biết về tình trạng của mình.
- Báo cho nhân viên giám thị, các nhân viên an ninh tòa nhà, và/hoặc bạn đồng nghiệp biết về tình trạng của mình. Nếu có thể được cho họ xem hình của kẻ hành hạ quý vị.
- Sắp xếp cho có người dò xem để chọn điện thoại gọi cho quý vị, có thể là nhân viên tiếp khách, hộp thư tiếng nói hoặc một bạn đồng nghiệp.
- Có một kế hoạch an toàn để dùng khi quý vị rời nơi làm việc:
  - Nhờ một người hộ tống quý vị trong đoạn đường từ xe hoặc xe buýt vào sở làm và về.
  - Đậu xe tại một nơi an ninh, sáng sủa.
  - Dùng nhiều lộ trình khác nhau để đi đi về về.
  - Nghĩ xem quý vị sẽ làm gì nếu có gì xảy ra trên đường về nhà.
  - Tránh những con đường vắng vẻ cô lập.

## DANH SÁCH KIỂM ĐIỂM: NHỮNG MÓN ĐEM THEO

### CĂN CUỐC

- Bằng lái xe
- Giấy Khai Sinh
- Giấy khai sinh của các con
- Thẻ An Sinh Xã Hội
- Thẻ Trợ Cấp xã Hội
- Thẻ Bảo Hiểm Sức Khỏe/HMO

### TÀI CHÁNH

- Tiền mặt/thẻ ATM (tên quý vị)
- Sổ trương mục Chi Phiếu/Tiết Kiệm

### GIẤY TỜ PHÁP LÝ

- Lệnh Bảo Vệ
- Hợp đồng thuê nhà dài hạn, thỏa thuận thuê nhà, văn tự nhà
- Giấy đăng bộ và bảo hiểm xe
- Giấy bảo hiểm sức khỏe và nhân thọ
- Hồ sơ y khoa của gia đình quý vị

- Hồ sơ nhà trường/chủng ngừa
- Giấy phép làm việc/Thẻ Xanh
- Thuế Lợi Tức / IRA's
- Sổ Thông Hành / Chiếu Khán
- Giấy ly dị và nuôi giuư con
- Giấy hôn thú
- Sổ để đương / trả nợ

### LOẠI KHÁC

- Thuốc men
- Chìa khóa nhà, xe, và văn phòng
- Vật trang sức
- Sổ địa chỉ
- Hình ảnh quý vị, các con & kẻ hành hạ
- Những món có giá trị tình cảm
- Quần áo
- Đồ chơi/chăn mền ưa thích của trẻ
- Vật dụng vệ sinh cá nhân/tã

**HÃY NHỚ: ĐỪNG CHẤP NHẬN RỦI RO ĐẾN SINH MẠNG QUÝ VỊ HOẶC CÁC CON CHỈ VÌ NHỮNG MÓN NÀY. VẬT DỤNG CÓ THỂ MUA LẠI. . . SINH MẠNG KHÔNG THAY ĐƯỢC!!**

## NHỮNG SỐ ĐIỆN THOẠI QUAN TRỌNG

### **CẢNH SÁT & SỞ CẢNH SÁT:**

Số khẩn cấp 911

### **NHỮNG ĐƯỜNG DÂY HOTLINES:**

Gọi Trước Hết Để Nhờ Giúp 1-800-HELP-555

Đường Dây Hotline DV

Toàn Quốc 1-800-799-SAFE

Ngăn Ngừa Tự Sát 1-800-SUICIDE

Hành Hạ Trẻ Em & Người Cao Niên 1-800-252-5400

Hệ Thống Toàn Quốc về Hăm Hiếp & Loạn Luân 1-800-656-HOPE

### **CÁC DỊCH VỤ PHÁP LÝ:**

Dự Án Bệnh Vực Phụ Nữ 1-800-374-HOPE

Dịch Vụ Giới Thiệu Luật Sư 1-877-9TEXBAR

### **CÁC DỊCH VỤ CỐ VẤN & YẾM TRỢ:**

Hội Đồng TX về Bạo Hành

Trong Gia Đình 1-800-525-1978

Ban Cấp Dưỡng Cho Con 1-800-252-8014

Bồi Thường Nạn Nhân của Tội Ác 1-800-983-9933

## AN TOÀN BẰNG LỆNH BẢO VỆ

- Nếu quý vị hoặc các con của quý vị đã bị đe dọa hoặc hành hung, quý vị có thể nhờ Biện Lý Quận xin tòa cấp Lệnh Bảo Vệ.
- Luôn luôn đem theo lệnh bảo vệ. Gọi cảnh sát nếu kẻ hành hạ quý vị vi phạm Lệnh Bảo Vệ.
- Đưa bản sao lệnh này cho những người trong gia đình, bạn bè, nhà trường và láng giềng.



The Applicant requests a Protective Order and asks the

Đánh dấu vào tất cả những lệnh  
quý vị muốn xin tòa cấp.

with a check

## 6 Orders to Prevent Family Violence

The Applicant asks the Court to order the Respondent to *(Check all that apply):*

- a.  Not commit family violence against any person named on page 1 of this form.
- b.  Not communicate in a threatening or harassing manner with any person named on page 1 of this form.
- c.  Not communicate a threat through any person to any person named on page 1 of this form.
- d.  Not communicate or attempt to communicate in any manner with *(Check all that apply):*
  - Applicant  Children  Other Adults named on page 1 of this form.The Respondent may communicate through: \_\_\_\_\_ or other person the Court appoints.  
Good cause exists for prohibiting the Respondent's direct communications.
- e.  Not go within 200 yards of the *(Check all that apply):*
  - Applicant  Children  Other Adults named on page 1 of this form.
- f.  Not go within 200 yards of the residence, workplace or school of the *(Check all that apply):*
  - Applicant  Other Adults named on page 1 of this form.
- g.  Not go within 200 yards of the Children's residence, child-care facility, or school, except as specifically authorized in a possession schedule entered by the Court.
- h.  Not stalk, follow or engage in conduct directed specifically to anyone named on page 1 of this form that is reasonably likely to harass, annoy, alarm, abuse, torment, or embarrass them.

The Applicant also asks the Court to make these Orders *(Check all that apply):*

- i.  Suspend any license to carry a concealed handgun issued to the Respondent under state law.
- j.  Require the Respondent to complete a battering intervention and prevention program; or if no such program is available, counseling with a social worker, family service agency, physician, psychologist, licensed therapist, or licensed professional counselor; and pay all costs for the counseling or treatment ordered.
- k.  Require the Respondent to follow these provisions to prevent or reduce the likelihood of family violence.

The law requires a trial court issuing a protective order to prohibit the Respondent from possessing a firearm or ammunition, unless the Respondent is a peace officer actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision.

## 7 Property Orders

The Residence located at: \_\_\_\_\_ Địa chỉ nhà của quý vị ở đây, trừ phi quý vị muốn giữ kín.

- (Check one):*
- is jointly owned or leased by the Applicant and Respondent;
  - is solely owned or leased by the Applicant; or
  - is solely owned or leased by the Respondent; and the Respondent is obligated to support the Applicant or a child in the Applicant's possession.

The Applicant also asks the Court to make these orders *(Check all that apply):*

- The Applicant to have exclusive use of the Residence identified above, and the Respondent must vacate the Residence.
- The sheriff, constable, or chief of police shall provide a law enforcement officer to accompany the Applicant to the Residence, to inform the Respondent that the Court has ordered the Respondent excluded from the Residence, to provide protection while the Applicant takes possession of the Residence and the Respondent removes any necessary personal property, and, if the Respondent refuses to vacate the Residence, to remove the Respondent from the Residence and arrest the Respondent for violating the Court's Order.
- The Applicant to have exclusive use of the Residence identified above, and the Applicant and Respondent jointly own or lease: \_\_\_\_\_  
Liệt kê tài sản quý vị muốn dùng hoặc kiểm soát, như xe cộ  
hoặc bàn ghế, dù cho người kia đồng sở hữu những tài sản đó.
- The Respondent must not use the Residence or any property jointly owned or leased by the parties, except in the ordinary course of business or for reasonable and necessary living expenses, including, but not limited to, removing or disabling any vehicle owned or possessed by the Applicant or jointly owned or possessed by the parties (whether so titled or not).



**8  Spousal Support Order**

The Applicant is married to the Respondent or otherwise legally entitled to support from the Respondent and asks the Court to order the Respondent to pay the Applicant the amount of support set by the Court.  
Đánh dấu vào đây nếu quý vị muốn được chu cấp cho người phối ngẫu.

**9  Orders Related to Removal, Possession and Support of Children**

The Applicant asks the Court to order the Respondent to do the following for the Applicant's children: \_\_\_\_\_  
Đánh dấu vào đây và điền đoạn này nếu quý vị muốn tòa cấp lệnh về việc trẻ có thể ở với người nào, các hạn chế du hành, và tiền cấp dưỡng cho con. \_\_\_\_\_  
interest of the people named on page 1 of this form.

- The Respondent must not remove the children from the Applicant's possession or from their child-care facility or school, except as specifically authorized in a possession schedule entered by the Court.
- The Respondent must not remove the children from the jurisdiction of the Court.
- Establish or modify a schedule for the Respondent's possession of the Children, subject to any terms and conditions necessary for the safety of the Applicant or the Children.
- Require the Respondent to pay child support in an amount set by the Court.

**10  Temporary Ex Parte Protective Order**

Based on the information in the attached Affidavit, there is a clear and present danger of family violence that will cause the Applicant, Children or Other Adults named on page 1 of this form immediate and irreparable injury, loss and damage, for which there is no adequate remedy at law. Applicant asks the Court to issue a Temporary Ex Parte Protective Order immediately without bond, notice or hearing.

**11  Ex Parte Order: Vacate Residence Immediately**

The Applicant now lives with the Respondent at: Địa chỉ nhà quý vị ở đây or has resided at this address \_\_\_\_\_ prior to filing this Application. The Respondent committed family violence against the Applicant \_\_\_\_\_ days prior to the filing of this Application, as described in the attached Affidavit. The Applicant is available for a hearing but asks the Court to issue a Temporary Ex Parte Protective Order immediately without bond, notice or hearing:  
Đánh dấu vào đây nếu quý vị muốn tòa ra lệnh cho người kia dọn ra.

- Granting the Applicant exclusive use and possession of the Residence and ordering the Respondent to vacate the Residence immediately, and remain at least 200 yards away from the Residence pending further Order of the Court; and
- Directing the sheriff, constable, or chief of police to provide a law enforcement officer to accompany the Applicant to the Residence, to inform the Respondent that the Court has ordered the Respondent to vacate the Residence, and to provide protection while the Applicant either takes possession of the Residence or removes necessary personal property.

**12  Keep Information Confidential**

Đánh dấu vào đây nếu quý vị muốn được giữ kín chi tiết liên lạc của mình.

**13  Fees And Costs**

The Applicant asks the Court to order the Respondent to pay fees for service of process, all other fees and costs of Court, and reasonable attorneys' fees, if applicable.

I have read the entire Application and it is true and correct to the best of my knowledge.

▶ Ký vào đây  
Applicant, Pro se

Address where Applicant may be contacted: \_\_\_\_\_  
Phone # where Applicant may be contacted: \_\_\_\_\_  
Liệt kê địa chỉ/số điện thoại hoặc địa chỉ/số điện thoại khác nếu quý vị muốn giữ kín địa chỉ và số điện thoại của mình.  
(List another address/phone if you want yours kept confidential.)

# Affidavit

County of \_\_\_\_\_  
State of Texas

Ghi tên quận của  
quý vị ở đây

My name is \_\_\_\_\_ Tên quý vị ở đây \_\_\_\_\_. I am \_\_\_\_\_ years old and otherwise competent to make this Affidavit. The information and events described in this Affidavit are true and correct.

1 Describe the most recent time the Respondent hurt you or threatened to hurt you:

\_\_\_\_\_  
\_\_\_\_\_  
Trả lời tất cả các câu hỏi trong mẫu này.  
\_\_\_\_\_  
\_\_\_\_\_

2 What date did this happen? \_\_\_\_\_ Nếu xảy ra trong vòng 30 ngày vừa qua, tòa

3 Was a weapon involved?  Yes  No có thể ra lệnh Bị Đơn phải dọn ra.

4 Were any children there?  Yes  No If yes, who? \_\_\_\_\_

5 Did you call the police?  Yes  No If yes, what happened? \_\_\_\_\_

6 Did you get medical care?  Yes  No If yes, describe your injuries: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

7 Has the Respondent ever threatened or hurt you **before**? Describe below, including date(s).

\_\_\_\_\_  
\_\_\_\_\_

8 Were weapons ever involved?  Yes  No If yes, what kind? \_\_\_\_\_

9 Were any children there?  Yes  No If yes, who? \_\_\_\_\_

10 Have the police ever been called?  Yes  No

11 Did you ever have to get medical care?  Yes  No If yes, describe your injuries: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

▶ ĐỪNG ký cho đến khi chứng khế bảo ký.  
Applicant signs here

On \_\_\_\_ / \_\_\_\_ / \_\_\_\_\_, the Applicant \_\_\_\_\_ personally appeared before me, the undersigned \_\_\_\_\_, the Applicant stated that she/he is qualified to make this oath, that she/he has (Chứng khế điền phần này.) and Affidavit, that she/he has personal knowledge of the facts asserted, and the facts \_\_\_\_\_ to the best of her/his knowledge and belief.

Subscribed and sworn to before me on \_\_\_\_ / \_\_\_\_ / \_\_\_\_\_.

▶ \_\_\_\_\_  
Notary Public in and for the State of Texas

My Commission expires: \_\_\_\_\_



Case No.: \_\_\_\_\_

Applicant: \_\_\_\_\_ § In the \_\_\_\_\_ Court  
v. §  
§  
§  
§  
Respondent: \_\_\_\_\_ § \_\_\_\_\_ County, Texas

## Application for Protective Order

### 1 Parties

Name: \_\_\_\_\_ County of Residence: \_\_\_\_\_

Applicant: \_\_\_\_\_

Respondent: \_\_\_\_\_

Respondent's address for service: \_\_\_\_\_

*Check all that apply:*

- The Applicant and Respondent are or were members of the same family or household.
- The Applicant and Respondent are parents of the same child or children.
- The Applicant and Respondent used to be married.
- The Applicant and Respondent are or were dating.
- The Applicant is an adult asking for protection for the Children named below from child abuse and/or family or dating violence.

### 2 Children: The Applicant is asking for protection for these Children under age 18:

Name: \_\_\_\_\_ Is Respondent the biological parent? \_\_\_\_\_ County of Residence: \_\_\_\_\_

- |    |       |                                                          |       |
|----|-------|----------------------------------------------------------|-------|
| a. | _____ | <input type="checkbox"/> Yes <input type="checkbox"/> No | _____ |
| b. | _____ | <input type="checkbox"/> Yes <input type="checkbox"/> No | _____ |
| c. | _____ | <input type="checkbox"/> Yes <input type="checkbox"/> No | _____ |
| d. | _____ | <input type="checkbox"/> Yes <input type="checkbox"/> No | _____ |

*Check all that apply:*

- Other children are listed on a sheet attached to this Application.
- The Children are or were members of the Applicant's family or household.
- The Children are the subject of a court order affecting access to them or their support.

### 3 Other Adults: The Applicant is asking for protection for these Adults, who are or were members of the Applicant's family or household:

Name: \_\_\_\_\_ County of Residence: \_\_\_\_\_

- |    |       |       |
|----|-------|-------|
| a. | _____ | _____ |
| b. | _____ | _____ |

### 4 Other Court Cases: Are there other court cases, like divorce, custody, support, involving the Applicant, Respondent, or the Children? Yes No

If "Yes," say what kind of case and if the case is active or completed.

- If "completed," (check one):  A copy of the final order is attached.  
 A copy of the final order will be filed before the hearing on this Application.

### 5 Grounds: Why is the Applicant asking for this Protective Order? Check one or both:

- The Respondent committed family violence and is likely to commit family violence in the future.
- The Respondent violated a prior Protective Order that expired, or will expire in 30 days or less. A copy of the Order is (check one):  Attached, or  Not available now but will be filed before the hearing on this Application.

The Applicant requests a Protective Order and asks the Court to make all Orders marked with a check

## 6 Orders to Prevent Family Violence

The Applicant asks the Court to order the Respondent to *(Check all that apply)*:

- a.  Not commit family violence against any person named on page 1 of this form.
- b.  Not communicate in a threatening or harassing manner with any person named on page 1 of this form.
- c.  Not communicate a threat through any person to any person named on page 1 of this form.
- d.  Not communicate or attempt to communicate in any manner with *(Check all that apply)*:  
 Applicant  Children  Other Adults named on page 1 of this form.  
The Respondent may communicate through: \_\_\_\_\_ or other person the Court appoints.  
Good cause exists for prohibiting the Respondent's direct communications.
- e.  Not go within 200 yards of the *(Check all that apply)*:  
 Applicant  Children  Other Adults named on page 1 of this form.
- f.  Not go within 200 yards of the residence, workplace or school of the *(Check all that apply)*:  
 Applicant  Other Adults named on page 1 of this form.
- g.  Not go within 200 yards of the Children's residence, child-care facility, or school, except as specifically authorized in a possession schedule entered by the Court.
- h.  Not stalk, follow or engage in conduct directed specifically to anyone named on page 1 of this form that is reasonably likely to harass, annoy, alarm, abuse, torment, or embarrass them.

The Applicant also asks the Court to make these Orders *(Check all that apply)*:

- i.  Suspend any license to carry a concealed handgun issued to the Respondent under state law.
- j.  Require the Respondent to complete a battering intervention and prevention program; or if no such program is available, counseling with a social worker, family service agency, physician, psychologist, licensed therapist, or licensed professional counselor; and pay all costs for the counseling or treatment ordered.
- k.  Require the Respondent to follow these provisions to prevent or reduce the likelihood of family violence.

---

The law requires a trial court issuing a protective order to prohibit the Respondent from possessing a firearm or ammunition, unless the Respondent is a peace officer actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision.

## 7 Property Orders

The Residence located at: \_\_\_\_\_

- (Check one)*:  is jointly owned or leased by the Applicant and Respondent;  
 is solely owned or leased by the Applicant; or  
 is solely owned or leased by the Respondent; and the Respondent is obligated to support the Applicant or a child in the Applicant's possession.

The Applicant also asks the Court to make these orders *(Check all that apply)*:

- The Applicant to have exclusive use of the Residence identified above, and the Respondent must vacate the Residence.
- The sheriff, constable, or chief of police shall provide a law enforcement officer to accompany the Applicant to the Residence, to inform the Respondent that the Court has ordered the Respondent excluded from the Residence, to provide protection while the Applicant takes possession of the Residence and the Respondent removes any necessary personal property, and, if the Respondent refuses to vacate the Residence, to remove the Respondent from the Residence and arrest the Respondent for violating the Court's Order.
- The Applicant to have exclusive use of the following property that the Applicant and Respondent jointly own or lease: \_\_\_\_\_
- The Respondent must not damage, transfer, encumber, or otherwise dispose of any property jointly owned or leased by the parties, except in the ordinary course of business or for reasonable and necessary living expenses, including, but not limited to, removing or disabling any vehicle owned or possessed by the Applicant or jointly owned or possessed by the parties (whether so titled or not).



**8  Spousal Support Order**

The Applicant is married to the Respondent or otherwise legally entitled to support from the Respondent and asks the Court to order the Respondent to pay support in an amount set by the Court.

**9  Orders Related to Removal, Possession and Support of Children**

The Respondent is a parent of the following of the Applicant's children: \_\_\_\_\_

And, the Applicant asks for these Orders in the best interest of the people named on page 1 of this form.

*Check all that apply:*

- The Respondent must not remove the children from the Applicant's possession or from their child-care facility or school, except as specifically authorized in a possession schedule entered by the Court.
- The Respondent must not remove the children from the jurisdiction of the Court.
- Establish or modify a schedule for the Respondent's possession of the Children, subject to any terms and conditions necessary for the safety of the Applicant or the Children.
- Require the Respondent to pay child support in an amount set by the Court.

**10  Temporary Ex Parte Protective Order**

Based on the information in the attached Affidavit, there is a clear and present danger of family violence that will cause the Applicant, Children or Other Adults named on page 1 of this form immediate and irreparable injury, loss and damage, for which there is no adequate remedy at law. Applicant asks the Court to issue a Temporary Ex Parte Protective Order immediately without bond, notice or hearing.

**11  Ex Parte Order: Vacate Residence Immediately**

The Applicant now lives with the Respondent at: \_\_\_\_\_ or has resided at this Residence within the 30 days prior to filing this Application. The Respondent committed family violence against a member of the household within the 30 days prior to the filing of this Application, as described in the attached Affidavit. There is a clear and present danger that the Respondent is likely to commit family violence against a member of the household. The Applicant is available for a hearing but asks the Court to issue a Temporary Ex Parte Protective Order immediately without bond, notice or hearing:

- Granting the Applicant exclusive use and possession of the Residence and ordering the Respondent to vacate the Residence immediately, and remain at least 200 yards away from the Residence pending further Order of the Court; and
- Directing the sheriff, constable, or chief of police to provide a law enforcement officer to accompany the Applicant to the Residence, to inform the Respondent that the Court has ordered the Respondent to vacate the Residence, and to provide protection while the Applicant either takes possession of the Residence or removes necessary personal property.

**12  Keep Information Confidential**

The Applicant asks the Court to keep addresses and telephone numbers for residences, workplaces, schools, and childcare facilities confidential.

**13  Fees And Costs**

The Applicant asks the Court to order the Respondent to pay fees for service of process, all other fees and costs of Court, and reasonable attorneys' fees, if applicable.

I have read the entire Application and it is true and correct to the best of my knowledge.



\_\_\_\_\_  
Applicant, *Pro se*

Address where Applicant may be contacted: \_\_\_\_\_

Phone # where Applicant may be contacted: \_\_\_\_\_ Fax #: \_\_\_\_\_

*(List another address/phone if you want yours kept confidential)*



# Affidavit

County of \_\_\_\_\_  
State of Texas

My name is \_\_\_\_\_. I am \_\_\_\_\_ years old and otherwise competent to make this Affidavit. The information and events described in this Affidavit are true and correct.

1 Describe the most recent time the Respondent hurt you or threatened to hurt you:

---

---

---

---

2 What date did this happen? \_\_\_\_ / \_\_\_\_ / \_\_\_\_

3 Was a weapon involved?  Yes  No If yes, what kind? \_\_\_\_\_

4 Were any children there?  Yes  No If yes, who? \_\_\_\_\_

5 Did you call the police?  Yes  No If yes, what happened? \_\_\_\_\_

6 Did you get medical care?  Yes  No If yes, describe your injuries: \_\_\_\_\_

---

---

---

7 Has the Respondent ever threatened or hurt you **before**? Describe below, including date(s).

---

---

---

8 Were weapons ever involved?  Yes  No If yes, what kind? \_\_\_\_\_

9 Were any children there?  Yes  No If yes, who? \_\_\_\_\_

10 Have the police ever been called?  Yes  No

11 Did you ever have to get medical care?  Yes  No If yes, describe your injuries: \_\_\_\_\_

---

---

---



Applicant signs here

On \_\_\_\_ / \_\_\_\_ / \_\_\_\_, the Applicant \_\_\_\_\_ personally appeared before me, the undersigned notary. After being sworn, the Applicant stated that she/he is qualified to make this oath, that she/he has read the foregoing Application and Affidavit, that she/he has personal knowledge of the facts asserted, and the facts asserted are true to the best of her/his knowledge and belief.

Subscribed and sworn to before me on \_\_\_\_ / \_\_\_\_ / \_\_\_\_.



Notary Public in and for the State of Texas

My Commission expires: \_\_\_\_\_

Case No.: \_\_\_\_\_

Applicant: \_\_\_\_\_

Nhìn lên đầu Application for Protective Order và ghi lại cùng các chi tiết đó vào đây.

Court \_\_\_\_\_

v.

of

Respondent: \_\_\_\_\_

§  
§  
§

County, Texas

### Temporary Ex Parte Protective Order

Go to the court hearing on: Date: \_\_\_\_\_ Time: \_\_\_\_\_  a.m.

Tòa điện phần này.

Court Address: \_\_\_\_\_

**Findings:** The Court finds from the sworn Affidavit attached to the *Application for Protective Order* filed in this case that there is a clear and present danger that the Respondent named below will commit acts of family violence that will cause the Applicant, Children and/or Other Adults named below immediate and irreparable injury, loss and damage, for which there is no adequate remedy at law. The Court, therefore, enters this *Temporary Ex Parte Protective Order* without further notice to the Respondent or hearing. No bond is required.

**1 Respondent:** The person named below must follow all Orders marked with a check

Name: Quý vị muốn được bảo vệ đối với ai?

County of Residence

Ông/bà ta cư ngụ tại quận nào?

**2 Protected People:** The following people are protected by the terms of this Protective Order:

- |                                               | Name:                                           | County of Residence:      |
|-----------------------------------------------|-------------------------------------------------|---------------------------|
| <input type="checkbox"/> <b>Applicant:</b>    | Tên quý vị ở đây                                |                           |
| <input type="checkbox"/> <b>Children:</b>     | Tên những trẻ quý vị muốn được lệnh này bảo vệ. | Quận nơi mỗi người cư ngụ |
| <input type="checkbox"/> <b>Other Adults:</b> | Tên những người lớn khác cần được bảo vệ.       |                           |

**3 Temporary Orders** — To prevent family violence, the Court orders the Respondent to obey all orders marked with a check.

**The Respondent (person named in 1) must:**

- a.  Not commit an act against any person named in **2** above that causes or results in physical harm, bodily injury, assault, or sexual assault or that is a threat to the safety of any person named in **2** above or that causes or results in emotional distress to any person named in **2** above who is in fear of imminent physical harm, bodily injury, assault, or sexual assault.
- b.  Not communicate in a threatening or harassing manner with any person named in **2** above.
- c.  Not communicate a threat through any person to any person named in **2** above.

Tòa điện phần còn lại trong mẫu này. Tòa có thể đặt câu hỏi với quý vị trước khi cấp những lệnh này.

**Chỉ Là Mẫu - Đừng Nộp**

- d.  Not communicate or attempt to communicate in any manner with: *(Check all that apply)*  
 Applicant  Children  Other Adults named in **2** above. The Respondent may communicate through: \_\_\_\_\_ or other person the Court appoints.  
 Good cause exists for prohibiting the Respondent's direct communications.
- e.  Not go within 200 yards of the: *(Check all that apply)*  
 Applicant  Children  Other Adults named in **2** above. (except to go to court hearings)
- f.  Not go within 200 yards of the Residence, workplace or school of the: *(Check all that apply)*  
 Applicant  Other Adults named in **2** above  
 The addresses of the prohibited locations are: *(Check all that apply)*  
 Deemed confidential. The Clerk is ordered to strike the information from all public court records and maintain a confidential record of the information for Court use only.  
 Disclosed as follows:  
 Applicant's Residence: \_\_\_\_\_  
 Applicant's Workplace/School: \_\_\_\_\_  
 Other: \_\_\_\_\_
- g.  Not possess a firearm or ammunition, unless the Respondent is a peace officer actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision.
- h.  Not go within 200 yards of the Children's Residence, child-care facility, or school.  
 The addresses of the prohibited locations are: *(Check all that apply)*  
 Deemed confidential. The Clerk is ordered to strike the information from all public court records and maintain a confidential record of the information for Court use only.  
 Disclosed as follows:  
 Children's Residence: \_\_\_\_\_  
 Children's Child-care/School: \_\_\_\_\_  
 Other: \_\_\_\_\_
- i.  Not stalk, follow or engage in conduct directed specifically toward the Applicant, Children, or Other Adults named in **2** above that is reasonably likely to harass, annoy, alarm, abuse, torment, or embarrass them.
- j.  Not remove the Children from their school, child-care facility, or the Applicant's possession.
- k.  Not remove the Children from the jurisdiction of the Court.
- l.  Not interfere with the Applicant's use of the Residence located at: \_\_\_\_\_, including, but not limited to, disconnecting utilities or telephone service or causing such services to be disconnected.
- m.  Not interfere with the Applicant's use and possession of the following property:  
 \_\_\_\_\_  
 \_\_\_\_\_
- n.  Not damage, transfer, encumber, or otherwise dispose of any property jointly owned or leased by the Applicant and Respondent, except in the ordinary course of business or for reasonable and necessary living expenses, including, but not limited to, removing or disabling any vehicle owned or possessed by the Applicant or jointly by the parties (whether so titled or not)



**4 Order: Vacate Residence Immediately**

The Court finds that the Residence located at: \_\_\_\_\_

(Check one):

- is jointly owned or leased by the Applicant and Respondent;
- is solely owned or leased by the Applicant; or
- is solely owned or leased by the Respondent; and the Respondent is obligated to support the Applicant or a child in the Applicant’s possession.

The Court further finds that the Applicant currently resides at the Residence, or has resided there within 30 days prior to the filing of the *Application for Protective Order* in this case, and that the Respondent has committed family violence against a member of the household within 30 days prior to the filing of the *Application for Protective Order* in this case. There is a clear and present danger that the Respondent is likely to commit family violence against a member of the household.

The Respondent is therefore ORDERED to vacate the Residence on or before: \_\_\_\_\_  a.m.  p.m. on (date): \_\_\_\_\_ and to remain at least 200 yards away from the Residence until further order of the Court. The Applicant shall have exclusive use and possession of the Residence until further order of the Court.

IT IS FURTHER ORDERED that the sheriff, constable, or chief of police shall provide a law enforcement officer to accompany the Applicant to the Residence, to inform the Respondent that the Court has ordered the Respondent to vacate the Residence, and to provide protection while the Applicant takes possession of the Residence, and if the Respondent refuses to vacate the Residence, provide protection while the Applicant takes possession of the Applicant’s necessary personal property.

**5 Go to the court hearing**

IT IS FURTHER ORDERED that notice issue to the Respondent to appear, and the Respondent is ORDERED to appear in person before this Court at the time and place indicated on page 1 of this form.

The purpose of this hearing is to determine whether the Court should issue the Protective Orders and other relief requested in the *Application for Protective Order* filed in this case.

**6 Duration of Order:** This Order is effective immediately and shall continue in full force and effect until twenty (20) days from the date it is signed, or further order of the Court.

**7 Warning:** A person who violates this order may be punished for contempt of court by a fine of as much as \$500 or by confinement in jail for as long as six months, or both.

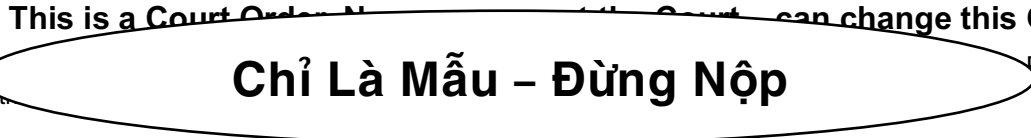
No person, including a person who is protected by this order, may give permission to anyone to ignore or violate any provision of this Order. During the time in which this Order is valid, every provision of this Order is in full force and effect unless a court changes the Order.

It is unlawful for any person, other than a peace officer, as defined by Section 1.07, Penal Code, actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision, who is subject to a Protective Order to possess a firearm or ammunition.

This Ex Parte Order signed on (date): \_\_\_\_\_ Time: \_\_\_\_\_  a.m.  p.m.

Judge Presiding: ► \_\_\_\_\_

**This is a Court Order. Notice that the Court can change this Order.**



Case No.: \_\_\_\_\_

Applicant: \_\_\_\_\_

In the \_\_\_\_\_ Court

v.

of

Respondent: \_\_\_\_\_

§  
§  
§  
§  
§

\_\_\_\_\_ County, Texas

## Temporary Ex Parte Protective Order

**Go to the court hearing on:** Date: \_\_\_\_\_ Time: \_\_\_\_\_  a.m.  p.m.

Court Address: \_\_\_\_\_

**Findings:** The Court finds from the sworn Affidavit attached to the *Application for Protective Order* filed in this case that there is a clear and present danger that the Respondent named below will commit acts of family violence that will cause the Applicant, Children and/or Other Adults named below immediate and irreparable injury, loss and damage, for which there is no adequate remedy at law. The Court, therefore, enters this *Temporary Ex Parte Protective Order* without further notice to the Respondent or hearing. No bond is required.

**1 Respondent:** The person named below must follow all Orders marked with a check.

Name: \_\_\_\_\_ County of Residence: \_\_\_\_\_

**2 Protected People:** The following people are protected by the terms of this Protective Order:

	Name:	County of Residence:
<input type="checkbox"/> <b>Applicant:</b>	_____	_____
<input type="checkbox"/> <b>Children:</b>	_____	_____
	_____	_____
	_____	_____
<input type="checkbox"/> <b>Other Adults:</b>	_____	_____
	_____	_____

**3 Temporary Orders** — To prevent family violence, the Court orders the Respondent to obey all orders marked with a check.

**The Respondent (person named in 1) must:**

- a.  Not commit an act against any person named in **2** above that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places those people in fear of imminent physical harm, bodily injury, assault, or sexual assault.
- b.  Not communicate in a threatening or harassing manner with any person named in **2** above.
- c.  Not communicate a threat through any person to any person named in **2** above.



- d.  Not communicate or attempt to communicate in any manner with: *(Check all that apply)*  
 Applicant  Children  Other Adults named in **2** above. The Respondent may communicate through: \_\_\_\_\_ or other person the Court appoints.  
 Good cause exists for prohibiting the Respondent's direct communications.
- e.  Not go within 200 yards of the: *(Check all that apply)*  
 Applicant  Children  Other Adults named in **2** above. (except to go to court hearings)
- f.  Not go within 200 yards of the Residence, workplace or school of the: *(Check all that apply)*  
 Applicant  Other Adults named in **2** above  
 The addresses of the prohibited locations are: *(Check all that apply)*  
 Deemed confidential. The Clerk is ordered to strike the information from all public court records and maintain a confidential record of the information for Court use only.  
 Disclosed as follows:  
 Applicant's Residence: \_\_\_\_\_  
 Applicant's Workplace/School: \_\_\_\_\_  
 Other: \_\_\_\_\_
- g.  Not possess a firearm or ammunition, unless the Respondent is a peace officer actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision.
- h.  Not go within 200 yards of the Children's Residence, child-care facility, or school.  
 The addresses of the prohibited locations are: *(Check all that apply)*  
 Deemed confidential. The Clerk is ordered to strike the information from all public court records and maintain a confidential record of the information for Court use only.  
 Disclosed as follows:  
 Children's Residence: \_\_\_\_\_  
 Children's Child-care/School: \_\_\_\_\_  
 Other: \_\_\_\_\_
- i.  Not stalk, follow or engage in conduct directed specifically toward the Applicant, Children, or Other Adults named in **2** above that is reasonably likely to harass, annoy, alarm, abuse, torment, or embarrass them.
- j.  Not remove the Children from their school, child-care facility, or the Applicant's possession.
- k.  Not remove the Children from the jurisdiction of the Court.
- l.  Not interfere with the Applicant's use of the Residence located at: \_\_\_\_\_, including, but not limited to, disconnecting utilities or telephone service or causing such services to be disconnected.
- m.  Not interfere with the Applicant's use and possession of the following property:  
 \_\_\_\_\_  
 \_\_\_\_\_
- n.  Not damage, transfer, encumber, or otherwise dispose of any property jointly owned or leased by the Applicant and Respondent, except in the ordinary course of business or for reasonable and necessary living expenses, including, but not limited to, removing or disabling any vehicle owned or possessed by the Applicant or jointly by the parties (whether so titled or not).

**4 Order: Vacate Residence Immediately**

The Court finds that the Residence located at: \_\_\_\_\_

(Check one):

- is jointly owned or leased by the Applicant and Respondent;
- is solely owned or leased by the Applicant; or
- is solely owned or leased by the Respondent; and the Respondent is obligated to support the Applicant or a child in the Applicant’s possession.

The Court further finds that the Applicant currently resides at the Residence, or has resided there within 30 days prior to the filing of the *Application for Protective Order* in this case, and that the Respondent has committed family violence against a member of the household within 30 days prior to the filing of the *Application for Protective Order* in this case. There is a clear and present danger that the Respondent is likely to commit family violence against a member of the household.

The Respondent is therefore ORDERED to vacate the Residence on or before: \_\_\_\_\_  a.m.  p.m. on (date): \_\_\_\_\_ and to remain at least 200 yards away from the Residence until further order of the Court. The Applicant shall have exclusive use and possession of the Residence until further order of the Court.

IT IS FURTHER ORDERED that the sheriff, constable, or chief of police shall provide a law enforcement officer to accompany the Applicant to the Residence, to inform the Respondent that the Court has ordered the Respondent to vacate the Residence, and to provide protection while the Applicant takes possession of the Residence, and if the Respondent refuses to vacate the Residence, provide protection while the Applicant takes possession of the Applicant’s necessary personal property.

**5 Go to the court hearing**

IT IS FURTHER ORDERED that notice issue to the Respondent to appear, and the Respondent is ORDERED to appear in person before this Court at the time and place indicated on page 1 of this form.

The purpose of this hearing is to determine whether the Court should issue the Protective Orders and other relief requested in the *Application for Protective Order* filed in this case.

**6 Duration of Order:** This Order is effective immediately and shall continue in full force and effect until twenty (20) days from the date it is signed, or further order of the Court.

**7 Warning:** A person who violates this order may be punished for contempt of court by a fine of as much as \$500 or by confinement in jail for as long as six months, or both.

**No person, including a person who is protected by this order, may give permission to anyone to ignore or violate any provision of this Order. During the time in which this Order is valid, every provision of this Order is in full force and effect unless a court changes the Order.**

**It is unlawful for any person, other than a peace officer, as defined by Section 1.07, Penal Code, actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision, who is subject to a Protective Order to possess a firearm or ammunition.**

This Ex Parte Order signed on (date): \_\_\_\_\_ Time: \_\_\_\_\_  a.m.  p.m.

Judge Presiding:  \_\_\_\_\_

**This is a Court Order. No one – except the Court – can change this Order.**

Case No.: \_\_\_\_\_

Applicant: \_\_\_\_\_ Court

v.

Nhìn lên đầu Application for Protective Order và ghi lại cùng các chi tiết đó vào đây.

of

Respondent: \_\_\_\_\_ § \_\_\_\_\_ County, Texas

### Protective Order

Ghi ngày giờ phiên

**A court hearing was held on:** Date: \_\_\_\_\_ Time: \_\_\_\_\_ xử của quý vị ở đây.

**Findings:** All legal requirements have been met, and the Court has jurisdiction over the parties and this case. This Order is in the best interests of the Protected Person(s) and is necessary to prevent future family violence.

- The Applicant and Respondent are spouses, former spouses, parents of the same child, live-in partners, or former live-in partners, and are thus "intimate partners" as defined by 18 U.S.C. § 921(a)(32).
- The parties have agreed to the terms of this Protective Order.

Statutory grounds for the Protective Order have been established. (Check one or both):

- The Respondent has committed family violence against the Applicant or Children named below and is likely to commit family violence in the future.
- The Respondent has violated a prior Protective Order that expired or will expire within 30 days.

#### 1 Appearances: (Check any that apply):

Applicant Respondent

- Appeared in person and announced ready.
- Appeared in person and by attorney, \_\_\_\_\_, and announced ready.
- Appeared by signature below evidencing agreement to the entry of this Protective Order.
- Although duly cited, did not appear and wholly made default.

#### 2 Protected People: The following people are protected by the terms of this Protective Order:

Name:

County of Residence:

Applicant:

Tên quý vị ở đây

Children:

Tên những trẻ cần được bảo vệ.

Quận nơi mỗi người cư ngụ

Other Adults:

Tên những người lớn khác cần được bảo vệ.

#### 3 A Record of Testimony (Check one): was made by: \_\_\_\_\_ was waived by the parties.

#### 4 Protective Orders — To prevent family violence, the Court orders the Respondent to obey all Orders marked with a check. The Respondent must:

- a.  Not commit an act against any person named in 2 above that results in bodily injury, assault, or sexual assault or that is a threat of imminent physical harm, bodily injury, assault, or sexual assault.
- b.  Not communicate in a threatening or harassing manner with any person named above.
- c.  Not communicate with any person named above.

Tòa điển phần còn lại trong mẫu này. Tòa có thể đặt câu hỏi với quý vị trước khi cấp những lệnh này.



- d.  Not communicate or attempt to communicate in any manner with: *(Check all that apply)*  
 Applicant  Children  Other Adults in **2** above (except through: \_\_\_\_\_)  
 Good cause exists for prohibiting the Respondent's direct communications.
- e.  Not go within 200 yards of the: *(Check all that apply)*  
 Applicant  Children  Other Adults named in **2** above.  
 (Except to go to court hearings or to exchange Children as authorized by a court order)
- f.  Not go within 200 yards of the Residence, workplace or school of the: *(Check all that apply)*  
 Applicant  Other Adults named in **2** above.  
 The addresses of the prohibited locations are: *(Check all that apply)*  
 Deemed confidential. The clerk is ordered to strike the information from all public court records and maintain a confidential record of the information for Court use only.  
 Disclosed as follows:  
 Applicant's Residence: \_\_\_\_\_  
 Applicant's Workplace/School: \_\_\_\_\_  
 Other: \_\_\_\_\_
- g.  Not go within 200 yards of the Children's Residence, child-care facility, or school, except as authorized by a court order. The addresses of the prohibited locations are: *(Check all that apply)*  
 Deemed confidential. The clerk is ordered to strike the information from all public court records and maintain a confidential record of the information for Court use only.  
 Disclosed as follows:  
 Children's Residence: \_\_\_\_\_  
 Children's Child-care/School: \_\_\_\_\_  
 Other: \_\_\_\_\_
- h.  Not stalk, follow or engage in conduct directed specifically to any person named in **2** above that is reasonably likely to harass, annoy, alarm, abuse, torment, or embarrass them.
- i.  Not possess a firearm or ammunition, unless the Respondent is a peace officer actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision. Any license to carry a concealed handgun issued to the Respondent is hereby **SUSPENDED**.

## 5 Family Violence Prevention Program

- The Respondent is ordered to enroll in, pay costs for, and enter the program checked below no later than \_\_\_ / \_\_\_ / \_\_\_, and to complete the program by \_\_\_ / \_\_\_ / \_\_\_. *(Check one):*
- The local Battering Intervention and Prevention Program that meets the guidelines adopted by the community justice assistance division of the Texas Department of Criminal Justice:  
 \_\_\_\_\_

Or if no such Battering Intervention and Prevention Program is available, then:

- A counseling program recommended and conducted by the following social worker, family service agency, physician, psychologist, licensed therapist, or licensed professional counselor:  
 \_\_\_\_\_
- The Respondent is ordered to comply with any recommendation or referral for additional or alternate counseling within seven (7) days of the recommendation, and ordered to complete any additional or alternate program recommended. The Respondent is ordered to sign a waiver for release of information upon enrollment so that participation in the program may be monitored by the Applicant and/or the Court.
- The Respondent must also follow these provisions to prevent family violence:  
 \_\_\_\_\_  
 \_\_\_\_\_

## 6 Property Orders

- The Court finds that the Residence located at: \_\_\_\_\_  
(Check one):
- is jointly owned or leased by the Applicant and Respondent;
  - is solely owned or leased by the Applicant; or
  - is solely owned or leased by the Respondent; and the Respondent is obligated to support the Applicant or a child in the Applicant's possession.
- IT IS ORDERED that the Applicant shall have exclusive use of the Residence identified above, and the Respondent must vacate the Residence no later than: \_\_\_\_\_  a.m.  p.m. on (date): \_\_\_\_\_.
- IT IS FURTHER ORDERED that the sheriff, constable, or chief of police shall provide a law enforcement officer to accompany the Applicant to the Residence, to inform the Respondent that the Court has ordered the Respondent to be excluded from the Residence, to provide protection while the Applicant takes possession of the Residence and the Respondent removes any necessary personal property, and, if the Respondent refuses to vacate the Residence, to remove the Respondent from the Residence and arrest the Respondent for violating the Court's Order.

## 7 Other Property Orders

- The Court finds that the Applicant and Respondent jointly own or lease the following Additional Property, and awards the Applicant the exclusive use of:
- \_\_\_\_\_
- \_\_\_\_\_

The Respondent must not damage, transfer, encumber, or otherwise dispose of the Additional Property identified above or any other property jointly owned or leased by the parties, except in the ordinary course of business or for reasonable and necessary living expenses, including, but not limited to, removing or disabling any vehicle owned or possessed by the Applicant or jointly by the parties (whether so titled or not).

## 8 Spousal Support Order

- IT IS ORDERED that the Respondent pay the Applicant support in the amount of \$ \_\_\_\_\_ per month, with the first payment due and payable on \_\_\_ / \_\_\_ / \_\_\_ and a like payment due and payable on the \_\_\_\_\_ day of each following month until further Order of this Court. IT IS ORDERED that all payments be sent to the Applicant at the address listed below and postmarked on or before the due date for each payment:
- \_\_\_\_\_

## 9 Orders Related to Removal, Possession and Support of Children

The Court finds that the Respondent is a parent of the Children. The Protective Order below is in the best interests of the Applicant, Children, and/or Other Adults named in **2** above.

- Removal** — Check one or both:
- The Respondent must:
- Not remove the Children from the Applicant's possession or from their child-care facility or school, except as specifically authorized in a possession schedule ordered by the Court.
  - Not remove the Children from the jurisdiction of the Court.
- Possession** — Check one:
- The Applicant is granted exclusive possession of the Children, and the Respondent shall have no possession or access to the Children, unless and until further Orders are entered by the Court. This Order supersedes any previous order granting the Respondent possession or access to the Children.
  - The Applicant is granted primary possession of the Children, and the Respondent may have possession of the Children pursuant to the possession schedule attached to this Protective Order as Exhibit A, subject to the terms and conditions stated herein as necessary for the safety of the Applicant and the Children. The possession schedule hereby ordered supersedes any previous order.

The possession schedule previously entered on \_\_\_ / \_\_\_ / \_\_\_, in case number \_\_\_\_\_, styled \_\_\_\_\_, shall continue to govern the Respondent's possession and access to the Children, except that no exchanges of the Children shall occur at a prohibited location described in this Protective Order.

**Child Support** — **Nothing in this Protective Order shall be construed as relieving the Respondent of any past or future obligation to pay child support as previously ordered.** — *Check one:*

The Respondent is ordered to pay child support to the Applicant in the amount of \$ \_\_\_\_\_ per month, with the first such payment due and payable on \_\_\_ / \_\_\_ / \_\_\_, and a like payment due and payable on the \_\_\_\_\_ day of each month thereafter for the term of this Protective Order or until further Order of the Court, whichever occurs first.

The Respondent is ordered to make all child support payments payable to the Applicant, and must mail all payments to:

**Texas Child Support Disbursement Unit, P.O. Box 659791, San Antonio, TX 78265-9791**

That agency will send the payment to the Applicant for the support of the Children. The Respondent must keep the child support registry informed of the Respondent's Residence and work addresses.

On this date, the Court signed an Income Withholding Order, ordering the employer and any subsequent employer of the Respondent to withhold court-ordered child support from the Respondent's earnings. **The existence of the Order for withholding from earnings for child support does not excuse the Respondent from personally making any child support payment herein, except to the extent the Respondent's employer actually makes the payment on behalf of the Respondent.**

The child support Order previously entered on \_\_\_ / \_\_\_ / \_\_\_, in case number \_\_\_\_\_, styled \_\_\_\_\_, shall continue to govern the Respondent's child support obligations with respect to the Children.

**10**  **Fees and Costs**

Within 60 days after this Order is signed, the Respondent must pay the Total Fees and Costs as follows:

Total to be paid: \$ \_\_\_\_\_

(This includes fees for service: \$ \_\_\_\_\_ + all other Court fees and costs: \$ \_\_\_\_\_)

Address where Respondent must pay the Clerk of the Court with cash, cashier's check, or money order:

**11**  **Attorney's Fees**

Within 60 days after this Order is signed, the Respondent must pay the attorney who helped enter this Protective Order the Attorney Fees listed below. Pay with cash, cashier's check, or money order.

Attorney Fees awarded by the Court: \$ \_\_\_\_\_

Attorney's name: \_\_\_\_\_

Attorney's address: \_\_\_\_\_

Attorney (name) \_\_\_\_\_ shall have and recover judgment against the Respondent (name) \_\_\_\_\_ for \$ \_\_\_\_\_, such judgment bearing interest at \_\_\_\_\_ percent per annum compounded annually from the date this judgment and Order is signed until paid, for which let execution issue if it is not paid.

**12** **Service**

This Protective Order (Check all that apply):

- Was served on the Respondent in open court.       Shall be delivered to the Respondent by certified mail, return receipt requested, or by fax, to the Respondent's last known address or fax number, or Respondent's \_\_\_\_\_, as provided by Tex. R. Civ. P. 21a.
- Shall be personally served on the Respondent.
- Shall be mailed by the Clerk of the Court to the Respondent's last known address or fax number, or Respondent's \_\_\_\_\_, as provided by Tex. R. Civ. P. 21a.

**13 Copies Forwarded**

The Clerk is ORDERED to forward copies of this Protective Order and accompanying Respondent Information Form to (Check all that apply):

- Sheriff and Constable of \_\_\_\_\_ County, Texas
- Police Chief of the City of \_\_\_\_\_
- Children’s child-care facility/schools listed above.

Any law enforcement agency receiving a copy of this Protective Order MUST, within 10 days, enter all required information into the Department of Public Safety’s statewide law enforcement information system.

**14 Duration of Order**

This Protective Order is in full force and effect until (date) \_\_\_\_\_ (Texas law provides that the Protective Order may last for two years after the date it is signed.) If the Respondent is confined or imprisoned on the date this Protective Order is scheduled to expire, the Protective Order will expire one year after the date of the Respondent’s release.

**Warning: A person who violates this Order may be punished for contempt of court by a fine of as much as \$500 or by confinement in jail for as long as six months, or both.**

**No person, including a person who is protected by this Order, may give permission to anyone to ignore or violate any provision of this Order. During the time in which this Order is valid, every provision of this Order is in full force and effect unless a court changes the Order.**

**It is unlawful for any person, other than a peace officer, as defined by Section 1.07, Penal Code, actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision, who is subject to a Protective Order to possess a firearm or ammunition.**

**A violation of this Order by commission of an act prohibited by the Order may be punishable by a fine of as much as \$4,000 or by confinement in jail for as long as one year, or both. An act that results in family violence may be prosecuted as a separate misdemeanor or felony offense. If the act is prosecuted as a separate felony offense, it is punishable by confinement in prison for at least two years.**

**Possession of a firearm or ammunition while this Protective Order is in effect may subject respondent to federal criminal penalties. It is unlawful for any person who is subject to a Protective Order to knowingly purchase, rent, lease, or receive as a loan or gift from another, a handgun for the duration of this Order.**

**Interstate violation of this Protective Order may subject the Respondent to federal criminal penalties. This Protective Order is enforceable in all fifty states, the District of Columbia, tribal lands, and U.S. territories.**


This Protective Order signed on (date): \_\_\_\_\_ Time: \_\_\_\_\_  a.m.  p.m.

Judge Presiding:  \_\_\_\_\_

**This is a Court Order. No one – except the Court – can change this Order.**

**Agreed Order**

By their signatures below, the Applicant and Respondent agree to the entry of the foregoing Protective Order and approve all terms stated in the Order:

 \_\_\_\_\_  
Applicant

 \_\_\_\_\_  
Respondent

**Receipt Acknowledged** – The Respondent hereby acknowledges receipt of a copy of this Protective Order.

 \_\_\_\_\_  
Respondent

Case No.: \_\_\_\_\_

Applicant: \_\_\_\_\_

§  
§  
§  
§  
§  
§

In the \_\_\_\_\_ Court

v.

of

Respondent: \_\_\_\_\_

\_\_\_\_\_ County, Texas

## Protective Order

**A court hearing was held on:** Date: \_\_\_\_\_ Time: \_\_\_\_\_  a.m.  p.m.

**Findings:** All legal requirements have been met, and the Court has jurisdiction over the parties and this case. This Order is in the best interests of the Protected Person(s) and is necessary to prevent future family violence.

- The Applicant and Respondent are spouses, former spouses, parents of the same child, live-in partners, or former live-in partners, and are thus "intimate partners" as defined by 18 U.S.C. § 921(a)(32).
- The parties have agreed to the terms of this Protective Order.

Statutory grounds for the Protective Order have been established. *(Check one or both):*

- The Respondent has committed family violence against the Applicant or Children named below and is likely to commit family violence in the future.
- The Respondent has violated a prior Protective Order that expired or will expire within 30 days.

### 1 **Appearances:** *(Check any that apply):*

Applicant    Respondent

- |                          |                          |                                                                                         |
|--------------------------|--------------------------|-----------------------------------------------------------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Appeared in person and announced ready.                                                 |
| <input type="checkbox"/> | <input type="checkbox"/> | Appeared in person and by attorney, _____, and announced ready.                         |
| <input type="checkbox"/> | <input type="checkbox"/> | Appeared by signature below evidencing agreement to the entry of this Protective Order. |
|                          | <input type="checkbox"/> | Although duly cited, did not appear and wholly made default.                            |

### 2 **Protected People:** The following people are protected by the terms of this Protective Order:

Name:

County of Residence:

- |                                               |       |       |
|-----------------------------------------------|-------|-------|
| <input type="checkbox"/> <b>Applicant:</b>    | _____ | _____ |
| <input type="checkbox"/> <b>Children:</b>     | _____ | _____ |
|                                               | _____ | _____ |
|                                               | _____ | _____ |
| <input type="checkbox"/> <b>Other Adults:</b> | _____ | _____ |

### 3 **A Record of Testimony** *(Check one):* was made by: \_\_\_\_\_ was waived by the parties.

### 4 **Protective Orders** — To prevent family violence, the Court orders the Respondent to obey all Orders marked with a check. **The Respondent must:**

- a.  Not commit an act against any person named in **2** above that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places those people in fear of imminent physical harm, bodily injury, assault, or sexual assault.
- b.  Not communicate in a threatening or harassing manner with any person named in **2** above.
- c.  Not communicate a threat through any person to anyone named in **2** above.





- d.  Not communicate or attempt to communicate in any manner with: *(Check all that apply)*  
 Applicant  Children  Other Adults in **2** above (except through: \_\_\_\_\_)  
 Good cause exists for prohibiting the Respondent's direct communications.
- e.  Not go within 200 yards of the: *(Check all that apply)*  
 Applicant  Children  Other Adults named in **2** above.  
 (Except to go to court hearings or to exchange Children as authorized by a court order)
- f.  Not go within 200 yards of the Residence, workplace or school of the: *(Check all that apply)*  
 Applicant  Other Adults named in **2** above.  
 The addresses of the prohibited locations are: *(Check all that apply)*  
 Deemed confidential. The clerk is ordered to strike the information from all public court records and maintain a confidential record of the information for Court use only.  
 Disclosed as follows:  
 Applicant's Residence: \_\_\_\_\_  
 Applicant's Workplace/School: \_\_\_\_\_  
 Other: \_\_\_\_\_
- g.  Not go within 200 yards of the Children's Residence, child-care facility, or school, except as authorized by a court order. The addresses of the prohibited locations are: *(Check all that apply)*  
 Deemed confidential. The clerk is ordered to strike the information from all public court records and maintain a confidential record of the information for Court use only.  
 Disclosed as follows:  
 Children's Residence: \_\_\_\_\_  
 Children's Child-care/School: \_\_\_\_\_  
 Other: \_\_\_\_\_
- h.  Not stalk, follow or engage in conduct directed specifically to any person named in **2** above that is reasonably likely to harass, annoy, alarm, abuse, torment, or embarrass them.
- i.  Not possess a firearm or ammunition, unless the Respondent is a peace officer actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision. Any license to carry a concealed handgun issued to the Respondent is hereby **SUSPENDED**.

## 5 Family Violence Prevention Program

- The Respondent is ordered to enroll in, pay costs for, and enter the program checked below no later than \_\_\_ / \_\_\_ / \_\_\_, and to complete the program by \_\_\_ / \_\_\_ / \_\_\_. *(Check one):*  
 The local Battering Intervention and Prevention Program that meets the guidelines adopted by the community justice assistance division of the Texas Department of Criminal Justice:  
 \_\_\_\_\_

Or if no such Battering Intervention and Prevention Program is available, then:

- A counseling program recommended and conducted by the following social worker, family service agency, physician, psychologist, licensed therapist, or licensed professional counselor:  
 \_\_\_\_\_
- The Respondent is ordered to comply with any recommendation or referral for additional or alternate counseling within seven (7) days of the recommendation, and ordered to complete any additional or alternate program recommended. The Respondent is ordered to sign a waiver for release of information upon enrollment so that participation in the program may be monitored by the Applicant and/or the Court.
- The Respondent must also follow these provisions to prevent family violence:  
 \_\_\_\_\_  
 \_\_\_\_\_

## 6 Property Orders

- The Court finds that the Residence located at: \_\_\_\_\_  
(Check one):
- is jointly owned or leased by the Applicant and Respondent;
  - is solely owned or leased by the Applicant; or
  - is solely owned or leased by the Respondent; and the Respondent is obligated to support the Applicant or a child in the Applicant's possession.
- IT IS ORDERED that the Applicant shall have exclusive use of the Residence identified above, and the Respondent must vacate the Residence no later than: \_\_\_\_\_  a.m.  p.m. on (date): \_\_\_\_\_.
- IT IS FURTHER ORDERED that the sheriff, constable, or chief of police shall provide a law enforcement officer to accompany the Applicant to the Residence, to inform the Respondent that the Court has ordered the Respondent to be excluded from the Residence, to provide protection while the Applicant takes possession of the Residence and the Respondent removes any necessary personal property, and, if the Respondent refuses to vacate the Residence, to remove the Respondent from the Residence and arrest the Respondent for violating the Court's Order.

## 7 Other Property Orders

- The Court finds that the Applicant and Respondent jointly own or lease the following Additional Property, and awards the Applicant the exclusive use of:
- \_\_\_\_\_
- \_\_\_\_\_

The Respondent must not damage, transfer, encumber, or otherwise dispose of the Additional Property identified above or any other property jointly owned or leased by the parties, except in the ordinary course of business or for reasonable and necessary living expenses, including, but not limited to, removing or disabling any vehicle owned or possessed by the Applicant or jointly by the parties (whether so titled or not).

## 8 Spousal Support Order

- IT IS ORDERED that the Respondent pay the Applicant support in the amount of \$ \_\_\_\_\_ per month, with the first payment due and payable on \_\_\_ / \_\_\_ / \_\_\_ and a like payment due and payable on the \_\_\_\_\_ day of each following month until further Order of this Court. IT IS ORDERED that all payments be sent to the Applicant at the address listed below and postmarked on or before the due date for each payment:
- \_\_\_\_\_

## 9 Orders Related to Removal, Possession and Support of Children

The Court finds that the Respondent is a parent of the Children. The Protective Order below is in the best interests of the Applicant, Children, and/or Other Adults named in **2** above.

- Removal** — *Check one or both:*
- The Respondent must:
- Not remove the Children from the Applicant's possession or from their child-care facility or school, except as specifically authorized in a possession schedule ordered by the Court.
  - Not remove the Children from the jurisdiction of the Court.
- Possession** — *Check one:*
- The Applicant is granted exclusive possession of the Children, and the Respondent shall have no possession or access to the Children, unless and until further Orders are entered by the Court. This Order supersedes any previous order granting the Respondent possession or access to the Children.
  - The Applicant is granted primary possession of the Children, and the Respondent may have possession of the Children pursuant to the possession schedule attached to this Protective Order as Exhibit A, subject to the terms and conditions stated herein as necessary for the safety of the Applicant and the Children. The possession schedule hereby ordered supersedes any previous order granting the Respondent possession and access to the Children.



The possession schedule previously entered on \_\_\_ / \_\_\_ / \_\_\_, in case number \_\_\_\_\_, styled \_\_\_\_\_, shall continue to govern the Respondent's possession and access to the Children, except that no exchanges of the Children shall occur at a prohibited location described in this Protective Order.

**Child Support** — **Nothing in this Protective Order shall be construed as relieving the Respondent of any past or future obligation to pay child support as previously ordered.** — *Check one:*

The Respondent is ordered to pay child support to the Applicant in the amount of \$ \_\_\_\_\_ per month, with the first such payment due and payable on \_\_\_ / \_\_\_ / \_\_\_, and a like payment due and payable on the \_\_\_\_\_ day of each month thereafter for the term of this Protective Order or until further Order of the Court, whichever occurs first.

The Respondent is ordered to make all child support payments payable to the Applicant, and must mail all payments to:

**Texas Child Support Disbursement Unit, P.O. Box 659791, San Antonio, TX 78265-9791**

That agency will send the payment to the Applicant for the support of the Children. The Respondent must keep the child support registry informed of the Respondent's Residence and work addresses.

On this date, the Court signed an Income Withholding Order, ordering the employer and any subsequent employer of the Respondent to withhold court-ordered child support from the Respondent's earnings. **The existence of the Order for withholding from earnings for child support does not excuse the Respondent from personally making any child support payment herein, except to the extent the Respondent's employer actually makes the payment on behalf of the Respondent.**

The child support Order previously entered on \_\_\_ / \_\_\_ / \_\_\_, in case number \_\_\_\_\_, styled \_\_\_\_\_, shall continue to govern the Respondent's child support obligations with respect to the Children.

**10**  **Fees and Costs**

Within 60 days after this Order is signed, the Respondent must pay the Total Fees and Costs as follows:

Total to be paid: \$ \_\_\_\_\_

(This includes fees for service: \$ \_\_\_\_\_ + all other Court fees and costs: \$ \_\_\_\_\_)

Address where Respondent must pay the Clerk of the Court with cash, cashier's check, or money order:

**11**  **Attorney's Fees**

Within 60 days after this Order is signed, the Respondent must pay the attorney who helped enter this Protective Order the Attorney Fees listed below. Pay with cash, cashier's check, or money order.

Attorney Fees awarded by the Court: \$ \_\_\_\_\_

Attorney's name: \_\_\_\_\_

Attorney's address: \_\_\_\_\_

Attorney (name) \_\_\_\_\_ shall have and recover judgment against the Respondent (name) \_\_\_\_\_ for \$ \_\_\_\_\_, such judgment bearing interest at \_\_\_\_\_ percent per annum compounded annually from the date this judgment and Order is signed until paid, for which let execution issue if it is not paid.

**12** **Service**

This Protective Order (Check all that apply):

- |                                                                                                            |                                                                                                                                                                                                                                    |
|------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Was served on the Respondent in open court.                                       | <input type="checkbox"/> Shall be delivered to the Respondent by certified mail, return receipt requested, or by fax, to the Respondent's last known address or fax number, or in any other manner allowed by Tex. R. Civ. P. 21a. |
| <input type="checkbox"/> Shall be personally served on the Respondent.                                     |                                                                                                                                                                                                                                    |
| <input type="checkbox"/> Shall be mailed by the Clerk of the Court to the Respondent's last known address. |                                                                                                                                                                                                                                    |



### 13 Copies Forwarded

The Clerk is ORDERED to forward copies of this Protective Order and accompanying Respondent Information Form to *(Check all that apply)*:

- Sheriff and Constable of \_\_\_\_\_ County, Texas
- Police Chief of the City of \_\_\_\_\_
- Children’s child-care facility/schools listed above.

Any law enforcement agency receiving a copy of this Protective Order MUST, within 10 days, enter all required information into the Department of Public Safety’s statewide law enforcement information system.

### 14 Duration of Order

This Protective Order is in full force and effect until *(date)* \_\_\_\_\_ (Texas law provides that the Protective Order may last for two years after the date it is signed.) If the Respondent is confined or imprisoned on the date this Protective Order is scheduled to expire, the Protective Order will expire one year after the date of the Respondent’s release.

**Warning: A person who violates this Order may be punished for contempt of court by a fine of as much as \$500 or by confinement in jail for as long as six months, or both.**

**No person, including a person who is protected by this Order, may give permission to anyone to ignore or violate any provision of this Order. During the time in which this Order is valid, every provision of this Order is in full force and effect unless a court changes the Order.**

**It is unlawful for any person, other than a peace officer, as defined by Section 1.07, Penal Code, actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision, who is subject to a Protective Order to possess a firearm or ammunition.**

**A violation of this Order by commission of an act prohibited by the Order may be punishable by a fine of as much as \$4,000 or by confinement in jail for as long as one year, or both. An act that results in family violence may be prosecuted as a separate misdemeanor or felony offense. If the act is prosecuted as a separate felony offense, it is punishable by confinement in prison for at least two years.**

**Possession of a firearm or ammunition while this Protective Order is in effect may subject respondent to federal criminal penalties. It is unlawful for any person who is subject to a Protective Order to knowingly purchase, rent, lease, or receive as a loan or gift from another, a handgun for the duration of this Order.**

**Interstate violation of this Protective Order may subject the Respondent to federal criminal penalties. This Protective Order is enforceable in all fifty states, the District of Columbia, tribal lands, and U.S. territories.**

This Protective Order signed on *(date)*: \_\_\_\_\_ Time: \_\_\_\_\_  a.m.  p.m.

Judge Presiding:  \_\_\_\_\_

**This is a Court Order. No one – except the Court – can change this Order.**


### Agreed Order

By their signatures below, the Applicant and Respondent agree to the entry of the foregoing Protective Order and approve all terms stated in the Order:

 \_\_\_\_\_  
Applicant

 \_\_\_\_\_  
Respondent

**Receipt Acknowledged** – The Respondent hereby acknowledges receipt of a copy of this Protective Order.

 \_\_\_\_\_  
Respondent

## Respondent Information

Fill out this form then file it with the clerk. Law enforcement needs this information to serve the Respondent and enter it into the state database for protective orders.

**Respondent's Name:** \_\_\_\_\_

Alias (Nickname): \_\_\_\_\_

**Respondent's relationship to Applicant:** \_\_\_\_\_

**Respondent lives in:** \_\_\_\_\_ County

Street: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**Sex**  M  F **DoB** \_\_\_\_/\_\_\_\_/\_\_\_\_ **DL #** \_\_\_\_\_

**Height** \_\_\_\_ ft \_\_\_\_ in **Place of birth** \_\_\_\_\_ **Other ID#** \_\_\_\_\_

**Weight** \_\_\_\_ lbs **SS #** \_\_\_\_\_ **State** \_\_\_\_ **Expires** \_\_\_\_\_

### Race

- American Indian or Alaskan Native (I)
- Asian Pacific Islander (A)
- Black (B)
- White (W)
- Unknown (All other non-whites) (U)

Other: \_\_\_\_\_

### Ethnicity

- Hispanic (H)
- Non-Hispanic (N)
- Unknown (U)

### Eye color

- Black (BLK)
- Blue (BLU)
- Brown (BRO)
- Gray (GRY)
- Green (GRN)
- Hazel (HAZ)
- Maroon (MAR)
- Pink (PNK)
- Multicolored (MUL)
- Unknown (XXX)

Other: \_\_\_\_\_

### Hair color

- Black (BLK)
- Blond or Strawberry (BLN)
- Brown (BRO)
- Gray or partially gray (GRY)
- Red or Auburn (RED)
- White (WHI)
- Sandy (SDY)
- Completely Bald or Unknown (XXX)

Other (style/length): \_\_\_\_\_

### Skin

- Albino (ALB)
- Black (BLK)
- Dark (DRK)
- Dark Brown (DBR)
- Fair (FAR)
- Light (LGT)
- Light Brown (LBR)
- Medium (MED)
- Medium Brown (MBR)
- Olive (OLV)
- Ruddy (RUD)
- Sallow (SAL)
- Yellow (YEL)
- Unknown (XXX)

Other: \_\_\_\_\_

**You do not have to fill out the rest of this form. But, it may help law enforcement serve the Respondent.**

### Other Identifying Information *Check all that apply*

- Glasses
- Beard
- Moustache
- Missing front teeth
- Bald
- Unusual markings on body (*describe*) \_\_\_\_\_
- Tattoos \_\_\_\_\_
- Scars \_\_\_\_\_
- Markings \_\_\_\_\_
- Piercings \_\_\_\_\_
- Mental Problems \_\_\_\_\_
- Drug/Alcohol Problems \_\_\_\_\_
- Weapons \_\_\_\_\_

**Respondent works at (name of business):** \_\_\_\_\_

Street: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Hours/Dept: \_\_\_\_\_ Supervisor: \_\_\_\_\_

**Respondent's Vehicle:** VIN \_\_\_\_\_ Color: \_\_\_\_\_ Year: \_\_\_\_\_ Make/Model: \_\_\_\_\_

License Plate # \_\_\_\_\_ State: \_\_\_\_\_ Exp. \_\_\_\_\_

**Respondent's Attorney (Name):** \_\_\_\_\_

Phone: \_\_\_\_\_ Address: \_\_\_\_\_

### Other contacts who may have information to help find Respondent:

**Name:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**Address:** \_\_\_\_\_ **Relationship:** \_\_\_\_\_

**Other Information:** \_\_\_\_\_

**Name:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**Address:** \_\_\_\_\_ **Relationship:** \_\_\_\_\_

**Other Information:** \_\_\_\_\_