

NOTICE: THIS DOCUMENT CONTAINS SENSITIVE DATA

CAUSE NO: _____

APPLICANT
VS.

RESPONDENT

§ IN THE _____
§
§
§
§ OF _____ COUNTY, TEXAS
§

Application for Protective Order

1. Parties:

Applicant County of Residence _____

Mark this box if you are completing and filing this application on behalf of the Applicant.

Name of Person Filing the Application Title of Person Filing the Application _____

Respondent

Respondent's address for service: _____

2. Reason(s) for Protective Order: (Mark all that apply)

- The Respondent committed family violence, dating violence, or child abuse.
- The Respondent committed sexual assault or abuse, indecent assault, indecency with a child, compelling prostitution, stalking, trafficking, or burglary of a habitation.
- The Respondent violated a Protective Order that was active at the time of the violation but has since expired or will expire in 30 days or less. A copy of the Order is (Mark one)
 - attached. not available now but will be filed before the hearing set for this Application.

3. Describe Applicant's Relationship to the Respondent: (Mark all that apply)

- Current or former spouses
- Current or former dating partners
- Are or were members of the same family or household
- Parents of the same child(ren)
- Relatives
- Parent or child of the Respondent
- Foster child or foster parent of the Respondent
- Applicant is dating or married to Respondent's current or former spouse or dating partner
- Respondent is dating or married to Applicant's current or former spouse or dating partner
- No relationship

4. Children Under Age 18 Who Need Protection:

Name	Is Respondent the parent or guardian	
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

Mark 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 have a court order that affects how and when they can visit their family or sets child support.

5. Other Adults: The Applicant requests protection for the following adults who are or were: members of the Applicant's family or household; or in a marital or dating relationship with the Applicant.

Name
a. _____
b. _____

6. Other Court Cases (other than criminal cases): Are there other court cases involving the Applicant, Respondent, or children?

- Yes No

(a) If "Yes," what kind of case and is the case active or complete?

(b) If "complete," (*Mark all that apply*):

<input type="checkbox"/>	A copy of the final order of the other case is attached.
<input type="checkbox"/>	A copy of the final order of the other case will be filed before the hearing on this Application.

(c) If the Texas Office of the Attorney General Child Support Division has been involved with a child support case: list the OAG case number for each open case, if known. Case Number: _____

7. Family Violence or Other Criminal Case(s): Has the Respondent ever been convicted of or placed on deferred adjudication community supervision for any crime under Title 5 or Title 6 of the Texas Penal Code? (See list of crimes at the end of the Instruction document)

- Yes No Unknown

If "Yes," what kind of crime:

If the Respondent was convicted or placed on community supervision for a Title 5 crime, did the Court make a finding that the crime involved family violence?

- Yes No Unknown

Was the crime against a child listed in this application?

- Yes No Unknown

Have the Respondent's parental rights to a child listed in this application been terminated?

- Yes No Unknown

If Respondent's parental rights have been terminated, has the Respondent contacted or attempted to contact the child?

- Yes No Unknown

8. Terms and Conditions of the Protective Order – Mark all terms and conditions that the Applicant wants the Court to include in the Temporary Ex Parte Order, if the Applicant is requesting one, and the final Protective Order.

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

- a. Not to commit family violence.
- b. Not to commit further acts of sexual assault or abuse, indecent assault, stalking, trafficking, compelling prostitution, indecency with a child, or burglary of a habitation.
- c. Not to communicate a threat through any person to any person who is listed in this application as a person seeking protection or who is a member of the Applicant's family or household.
- d. Not to communicate in a threatening or harassing manner with any person who is listed in this application as a person seeking protection or who is a member of the Applicant's family or household.
- e. Not to communicate or attempt to communicate in any manner with *(Mark all that apply)*:

- Applicant children listed in this application other Adults listed in this application

except through Applicant's attorney or other person named by the Court, namely:

Please explain why the court should prohibit direct communication from the Respondent:

(If necessary, attach sheet with additional information)

- f. Not go within _____ yards of the: *(Mark all that apply)*
 Applicant children listed in this application other Adults listed in this application
- g. Not go to or within _____ yards of the residence, workplace, or school of the: *(Mark all that apply)*
 Applicant children listed in this application other Adults listed in this application.

Residence: _____

Workplace: _____

School: _____

- h. Not go to or within _____ yards of the residence, child-care facility, or school of the children listed in this application, except as specifically authorized in a possession schedule or other order entered by the Court.

Residence: _____

Child-care facilities: _____

School: _____

- i. Not to engage in conduct that is reasonably likely to harass, annoy, alarm, abuse, torment, or embarrass any person who is listed in this application as a person seeking protection, or who is a member of the Applicant's family or household, including not tracking or monitoring the car or other property belonging to any person who is listed in this application as a person seeking protection, or who is a member of the Applicant's family or household, or by physically following or causing another to physically follow a person seeking protection or any member of the Applicant's family or household.

The Applicant further asks the Court to:

- j. Suspend the Respondent's license to carry a handgun.*
- k. Prohibit Respondent from possessing a firearm.*
- l. Require the Respondent to complete a battering intervention and prevention program.
- m. Prohibit the Respondent from taking, harming, threatening, or interfering with the care, custody, or control of the following pet, companion animal, or assistance animal: (describe the animal)

- n. Require the Respondent to do the following to prevent or reduce the likelihood of family violence or future harm to the Applicant or any person listed in this application as a person in need of protection.

*NOTE: If the Respondent is a peace officer actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision, the court may not suspend the Respondent's license to carry a handgun or prohibit the Respondent from possessing a firearm.

9. Property Orders: (Complete this section *only* if the Applicant shares, owns, or leases a residence with the Respondent)

The Residence located at: _____

- (Mark one):
- is jointly owned or leased by the Applicant and Respondent.
 - is solely owned or leased by the Applicant.
 - 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 asks the Court to make these orders about the residence: (Mark all that apply)

- Grant the Applicant exclusive use of the residence identified above and order the Respondent to vacate the residence and its premises.

- Order a law enforcement officer: to go with the Applicant to the residence; to tell the Respondent that the Court has ordered the Respondent to vacate the residence; to provide protection to the Applicant while the Applicant takes possession of the residence or while the Respondent takes possession of the Respondent's personal property; and to arrest the Respondent if the Respondent refuses to leave in violation of the Order.
- Applicant requests exclusive use of the following property that the Applicant and Respondent jointly own or lease:

;
- Order the Respondent not to damage, transfer, encumber, or otherwise dispose of any property jointly owned or leased by the parties, including removing or disabling any vehicle owned or possessed by the Applicant or jointly owned or possessed by the parties.

10. Spousal Support Order (Mark the box if the Applicant is married to the Respondent and would like spousal support)

Applicant is married to the Respondent and requests the Court to order the Respondent to pay spousal support.

11. Rights to Mobile Phone Numbers, Associated Devices, and Accounts (Mark the box if asking to separate or transfer the wireless telephone account)

The Applicant asks the Court to order that the wireless telephone numbers that are used primarily by the Applicant or a person listed in this application as a person in need of protection be separated from the Respondent's wireless telephone service account. The Applicant asks for sole use, possession, and control of the following wireless telephone numbers and associated mobile devices, including sole billing responsibility and sole ownership of the mobile devices and wireless telephone service account associated with the wireless telephone numbers.

The Applicant further asks the Court to order the Respondent to pay the costs associated with transferring the wireless service account to the Applicant and the outstanding balance on the account.

The following wireless telephone numbers and associated mobile devices are used by the Applicant or the children listed in this Application.

- | | | |
|----------------------|--|---|
| <input type="text"/> | <input type="checkbox"/> my phone number | <input type="checkbox"/> child's phone number |
| <hr/> | <input type="checkbox"/> my phone number | <input type="checkbox"/> child's phone number |
| <input type="text"/> | <input type="checkbox"/> my phone number | <input type="checkbox"/> child's phone number |
| <hr/> | | |

(Sheet may be attached for additional numbers)

The Applicant asks the Court to prohibit Respondent from closing, limiting access to, or otherwise tampering with the wireless telephone service account associated with aforementioned mobile phone numbers and associated mobile devices until this Court determines who is the primary user of the mobile phone numbers and devices. Applicant also asks the Court to order the Respondent's wireless telephone service provider not to disclosure the Applicant's or other persons in need of protection contact information to the Respondent, including any new telephone numbers assigned to the Applicant or other person in need of protection.

12. Orders Related to Removal, Possession, and Support of Children (Mark the box if asking for the removal, possession, or support of the children)

The Applicant and the Respondent are the parents or guardians of the following children:

The Applicant asks the Court to enter the following orders with respect to the children: *(Mark all that apply):*

- The Respondent must not remove children from the Applicant's possession or from their child-care facility or school, except as specifically authorized in a possession schedule or other order entered by the Court.
- The Respondent must not remove the children from the jurisdiction of the Court.
- An order establishing or modifying 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.
- An order requiring the Respondent to pay child support in an amount set by the Court.

13. Temporary Ex Parte Order (Mark the box if requesting a temporary ex parte order)

Based on the information in the attached Affidavit or Declaration, the Applicant asks the Court to find that there is a clear and present danger of family violence, sexual assault or abuse, indecent assault, stalking, trafficking, or other harm to Applicant and/or a member of the family or household and issue a Temporary Ex Parte Order immediately without bond, notice, or hearing.

13a. Temporary Ex Parte Order That Also Requires Respondent to Vacate Residence Immediately (Mark the box if you are requesting that the temporary ex parte order also exclude Respondent from the shared residence)

NOTE: IF YOU MARK 13a, YOU MUST APPEAR FOR A HEARING BEFORE THE COURT CAN EXCLUDE OR REMOVE THE RESPONDENT FROM A SHARED RESIDENCE.

The Applicant lives with the Respondent at:

or resided there within the 30 days prior to the filing of this Application. The Respondent committed family violence against the Applicant, or a member of the family or household, as described in the Affidavit or Declaration attached, within 30 days prior to the filing of this Application. There is a clear and present danger that the Respondent is likely to commit family violence against the Applicant and/or a member of the family or household. The Applicant is available for a hearing to justify the issuance of an order excluding the Respondent from the residence. If the Court grants this request, the Applicant asks the Court to issue a Temporary Ex Parte Order that:

- Grants the Applicant exclusive use and possession of the residence and orders the Respondent to vacate the residence immediately and remain at least 200 yards away from the residence pending further Order of the Court.
- Directs 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 protect the Applicant while the Applicant takes possession of the residence, or while the Applicant takes possession of the Applicant's necessary personal property if the Respondent refuses to vacate the residence.

14. Keep Information Confidential (Mark the box if you want your information to remain confidential)

The Applicant requests the Court to exclude the following information from the protective order: the mailing address, county of residence, and telephone number of the Applicant and any person listed in this application as a person in need of protection; and the address and telephone number of a place of employment, business, child-care facility, or school, if any, of the Applicant and any person listed in this application as a person in need of protection. The Applicant further asks the Court to order the clerk of the court to strike the aforementioned information from the public records of the Court and keep a confidential record of the information for use only by the Court or law enforcement for the purpose of entering the information required by Section 411.042(b)(6), Government Code, into the statewide law enforcement information system maintained by the Texas Department of Public Safety.

WARNING: A copy of this application will be served on the Respondent and made available for public inspection. Marking Box No.14 means that you are asking the judge to remove your address and telephone numbers from the final order so the public cannot see this information. If you are requesting confidentiality, **DO NOT INCLUDE** personal information in this application or any other form related to your request.

If the Applicant is requesting confidentiality, provide the information requested below:

The Applicant asks the Court to designate the following person to receive on Applicant's behalf all notices and documents filed with the Court, if related to this Application:

Name:
 Address:

15. Citations and Notices

The Applicant asks the Court to issue all citations and notices required by law for the application and any resultant order.

PRAYER

WHEREFORE, PREMISES CONSIDERED, the Applicant prays the Court issue the protective order as requested in this Application, and, if applicable, the Applicant further prays the Court issue a Temporary Ex Parte Order until a hearing can be held.

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

[Redacted]

Applicant or Person filing on behalf of Applicant

Address and telephone number where Applicant or Person filing on behalf of Applicant may be contacted (*List another address/telephone if you want yours kept confidential*):

[Redacted]

[Redacted]

NOTICE: THIS DOCUMENT CONTAINS SENSITIVE DATA

For Use ONLY if Requesting a Temporary Ex Parte Order
Use this form if YOU WANT your Date of Birth and Address to REMAIN CONFIDENTIAL.
You will need to have it signed BY A NOTARY.

AFFIDAVIT

County of _____

State of Texas

My name is _____ (First Middle Last). I am _____ years old and otherwise competent to make this Affidavit. The information and events described in this Affidavit are true and correct.

1. My relationship with Respondent is: _____

2. Describe the most recent time the Respondent hurt or threatened to hurt you, including any conduct involving sexual assault, stalking, trafficking, or burglary of a habitation:

a. In what county did this happen? _____

b. On what date did this happen? ____ / ____ / ____

c. Was a weapon involved? Yes No If yes, what kind?

d. Does Respondent possess or have access to firearms? Yes No

e. Were any of the children present? Yes No If yes, who?

f. Did anyone call the police? Yes No If yes, what happened?

g. Were you injured? Yes No If yes, describe your injuries:

h. Did you seek medical care? Yes No

3. Has the Respondent threatened or hurt you before? Yes No

If so, describe below how the Respondent threatened or hurt you, including date(s) if possible.

a. Were weapons ever involved? Yes No If yes, what kind?

b. Were the children present? Yes No If yes, who?

c. Did anyone report the conduct to the police? Yes No

d. Were you injured? Yes No If yes, describe your injuries:

e. Did you seek medical care? Yes No

4. Has the Respondent ever been convicted of family violence? Yes No

If yes, list when and in which county and state the conviction(s) occurred:

5. Has the Respondent ever been convicted or placed on deferred adjudication community supervision for any of the following:

Trafficking of Persons	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
Continuous Trafficking of Persons	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
Sexual Assault	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
Indecent Assault	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
Aggravated Sexual Assault	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
Stalking	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
Compelling Prostitution	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
Burglary of a Habitation	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown

If yes, list when and in which county and state the conviction(s) occurred:

6. Are you requesting exclusive possession of a residence and to have the Respondent excluded from the residence? Yes No

a. What is the location of the residence?

b. Do you currently reside at the residence or have resided there within the last 30 days?

Yes No

c. Please describe the facts and circumstances that require the Respondent to be excluded from the residence:

On ___ / ___ / ___, the Applicant _____ personally appeared before me, the undersigned notary. After being sworn, the Applicant stated that the Applicant is qualified to make this oath, that the Applicant has read the foregoing Application and Affidavit, that the Applicant has personal knowledge of the facts asserted, and the facts asserted are true and to the best of the Applicant's knowledge and belief. Subscribed and sworn before me on ___ / ___ / ___.



Applicant signs here



Notary Public in and for the State of Texas

My Commission expires:

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DECLARATION

For Use ONLY if Requesting a Temporary Ex Parte Order
Use this form if you want your Date of Birth and Address to be public information (not confidential).
If you use the Declaration Form, a notary does not have to sign. Do NOT use the Affidavit form if you use this form.

County of _____
State of Texas

My name is _____,
(First Middle Last)

my date of birth is ____ / ____ / _____, and my address is
_____, _____, _____, _____, _____
(Street) (City) (State) (Zip Code) (Country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in _____ County, State of _____
day of _____, _____ (Month) _____ (Year).

_____ (Declarant Signature).

- 1. My relationship with Respondent is: _____
- 2. Describe the most **recent time** the Respondent hurt or threatened to hurt you, including any conduct involving sexual assault, stalking, trafficking, or burglary of a habitation:

a. In what county did this happen? _____

b. On what date did this happen? ____ / ____ / _____

c. Was a weapon involved? Yes No If yes, what kind?

d. Does Respondent possess or have access to firearms? Yes No

e. Were any of the children present? Yes No If yes, who?

f. Did anyone call the police? Yes No If yes, what happened?

g. Were you injured? Yes No If yes, describe your injuries:

h. Did you seek medical care? Yes No

3. Has the Respondent threatened or hurt you **before**? Yes No
If so, describe below how the Respondent threatened or hurt you, including date(s) if possible.

a. Were weapons ever involved? Yes No If yes, what kind?

b. Were the children present? Yes No If yes, what kind?

c. Did anyone report the conduct to the police? Yes No

d. Were you injured? Yes No If yes, describe your injuries:

e. Did you seek medical care? Yes No

4. Has the Respondent ever been convicted of family violence? Yes No
If yes, list when and in which county and state the conviction(s) occurred:

5. Has the Respondent ever been convicted or placed on deferred adjudication community supervision for any of the following:

- | | | | |
|-----------------------------------|------------------------------|-----------------------------|----------------------------------|
| Trafficking of Persons | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Unknown |
| Continuous Trafficking of Persons | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Unknown |
| Sexual Assault | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Unknown |
| Indecent Assault | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Unknown |
| Aggravated Sexual Assault | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Unknown |
| Stalking | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Unknown |
| Compelling Prostitution | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Unknown |
| Burglary of a Habitation | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Unknown |

If yes, list when and in which county and state the conviction(s) occurred:

6. Are you requesting exclusive possession of a residence and to have the Respondent excluded from the residence? Yes No

a. What is the location of the residence? _____

b. Do you currently reside at the residence or have resided there within the last 30 days?
 Yes No

c. Please describe the facts and circumstances that require the Respondent to be excluded from the residence:



Applicant signs here

NOTICE: THIS DOCUMENT CONTAINS SENSITIVE DATA

CAUSE NO. _____

§ IN THE _____ COURT
§
VS. §
§
§
§ OF _____ COUNTY, TEXAS

Temporary Ex Parte Order

Go to the court hearing on: Date: _____ Time: _____

Court Address: _____

1. APPLICANT

*Name: _____

*County of Residence: _____

2. RESPONDENT (INCLUDES OFFENDERS) / ORDER ISSUED AGAINST

*Name: _____

*County of Residence: _____

3. AND / OR ON BEHALF OF MINOR FAMILY MEMBERS / PROTECTED PERSON(S)

(Provide the name for each minor added)

*Name: _____

*Name: _____

*Name: _____

*Name: _____

4. AND / OR BEHALF OF OTHER (PROTECTED PERSON(S))

(Provide the name for each person added)

*Name: _____

*Name: _____

*Name: _____

*Name: _____

On this day, the Court considered the Applicant's application for a temporary ex parte order filed pursuant to Title 4, Family Code, and/or Chapter 7B, Code of Criminal Procedure.

I. FINDINGS AND ORDERS

(Mark one)

After considering the application and any testimony of the Applicant or other protected persons, if required, the Court:

(A) **FINDS** that there is a clear and present danger of family violence, as defined by Section 71.004, Family Code. **THEREFORE**, the Court grants the application and issues this Temporary Ex Parte

Order. No bond is required.

- (B) **FINDS** that there is a clear and present danger of sexual assault or abuse, indecent assault, stalking, trafficking, burglary of a habitation, or other harm to Applicant. **THEREFORE**, the Court grants the application and issues this Temporary Ex Parte Order. No bond is required.
- (C) **FINDS** that there is a clear and present danger of sexual assault or abuse or other harm to the Applicant, in light of the military protective order issued to the Applicant because the Applicant is a reported victim of sexual assault, indecent assault, or aggravated sexual assault. **THEREFORE**, the Court grants the application and issues this Temporary Ex Parte Order. No bond is required.

II. RELATIONSHIP OF PARTIES

The Court **FINDS** that the Applicant and the Respondent are related in the following manner:
(Mark all that apply)

- | | |
|--|--|
| <input type="checkbox"/> No relationship | <input type="checkbox"/> Foster parent - foster child relationship |
| <input type="checkbox"/> Current or former spouses | <input type="checkbox"/> Applicant is dating or married to Respondent's current or former spouse or dating partner |
| <input type="checkbox"/> Current or former dating partners | <input type="checkbox"/> Respondent is dating or married to Applicant's current or former spouse or dating partner |
| <input type="checkbox"/> Are or were members of the same family or household | |
| <input type="checkbox"/> Parents of the same child(ren) | |
| <input type="checkbox"/> Relatives | |
| <input type="checkbox"/> Parent-child relationship | |

III. CONDITIONS AND TERMS OF ORDER

(Mark all conditions and terms that apply)

The Court **FINDS** that the following conditions and terms are necessary or appropriate to prevent or reduce the likelihood of family violence and/or future harm to the Applicant, members of the Applicant's family or household, and other protected persons. **THEREFORE**, the Court **ORDERS** the Respondent to obey the conditions and terms marked below. **The Respondent must:**

- (A) **NOT** commit further acts of family violence, as defined in Section 71.004, Family Code, against a person protected by this Order or a member of the family or household of a person protected by this Order (including acts intended to result in physical harm, bodily injury, assault or sexual assault, or threats reasonably placing a person in fear of physical harm, bodily injury, assault or sexual assault). (TCIC Form PCO-01)
- (B) **NOT** communicate in any manner with a person protected by this Order or a member of the family or household of a person protected by this Order, except through a protected person's attorney or a person appointed by the Court. The name of the attorney or person appointed by the Court is: _____ The Court **FINDS** that good cause exists to prohibit direct communication from the Respondent. (TCIC Form PCO-08)
- (C) **NOT** communicate in a threatening or harassing manner, directly or indirectly, with a person protected by this Order or a member of the family or household of a person protected by this Order. (TCIC Form PCO-05)
- (D) **NOT** communicate a threat through any person to a person protected by this Order or a member of the family or household of a person protected by this Order. (TCIC Form PCO-05)
- (E) **NOT** go to or within _____ yards of the residence or place of employment or business of a person protected by this Order or a member of the family or household of a person protected by this Order. (TCIC Form PCO-04) The addresses and telephone numbers of the prohibited locations are: (Mark one)
- CONFIDENTIAL BY ORDER OF THIS COURT.** The Court **ORDERS** the clerk to strike the addresses and telephone numbers, if provided, from the public records of the Court and

maintain a confidential record of the information for use only by the Court or law enforcement for the purpose of entering the information required by Section 411.042(b)(6), Government Code, into the statewide law enforcement information system maintained by the Texas Department of Public Safety.

DISCLOSED AS FOLLOWS: *(Enter the addresses below)*

Residence: _____

Place of Employment/Business: _____ ;

(F) **NOT** go to or within _____ yards of the child-care facility or school of a person protected by this Order. (TCIC Form PCO-04) The addresses and telephone numbers of the prohibited locations are: *(Mark one)*

CONFIDENTIAL BY ORDER OF THIS COURT. The Court **ORDERS** the clerk to strike the addresses and telephone numbers, if provided, from the public records of the Court and maintain a confidential record of the information for use only by the Court or law enforcement for the purpose of entering the information required by Section 411.042(b)(6), Government Code, into the statewide law enforcement information system maintained by the Texas Department of Public Safety.

DISCLOSED AS FOLLOWS: *(Enter the addresses below)*

Child-care facility: _____

School: _____ ;

(G) **NOT** go within _____ yards of a person protected by this Order or a member of the family or household of a person protected by this Order, except as authorized by this Order. (TCIC Form PCO-08)

(H) **NOT** engage in conduct that is directed specifically toward and reasonably likely to harass, annoy, alarm, abuse, torment, or embarrass a person protected by this Order or a member of the family or household of a person protected by this Order, including following or causing another person to follow the person protected by this Order. (TCIC Form PCO-01)

(I) **NOT** take, harm, threaten, or interfere with the care, custody, or control of the following pet or companion or assistance animal: _____ .
(TCIC Form PCO-08). *(Enter the name or description of the pet or animal)*

(J) **NOT** transfer, encumber, or otherwise dispose of property mutually owned or leased by the parties, except when done so in the ordinary course of business. (TCIC Form PCO-08)

(K) **NOT** track or monitor the personal property or motor vehicle in the possession of a person protected by this Order or a member of the family or household of a person protected by this Order, without the person's effective consent, including not tracking or monitoring the person with a tracking device or application, or by physically following the person. (TCIC Form PCO-01)

(L) **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. (TCIC Form PCO-07)

(M) **NOT** close, limit access to, or otherwise tamper with the telephone service account associated with the following mobile numbers and their associated mobile devices until this Court determines the primary user of the mobile numbers and associated devices. (TCIC Form PCO-08)

_____ my phone number child's phone number
 my phone number child's phone number
 my phone number child's phone number

(A sheet may be attached with additional numbers)

The Court **ORDERS** the clerk to remove from the public records of the Court the telephone numbers of persons protected by this Order.

IV. RESPONDENT'S EXCLUSION FROM RESIDENCE
(Mark the box if ordering the Respondent to vacate the residence)

After considering the Applicant's sworn affidavit or declaration and in person testimony, the Court **FINDS** that the Applicant currently resides at the residence referenced below, or resided there within 30 days prior to filing the application for a protective order, and that the Respondent committed family violence against a member of the household within 30 days prior to the filing of the application. The Court further **FINDS** that there is a clear and present danger that the Respondent is likely to commit family violence against a member of the household. **THEREFORE**, effective immediately, the Respondent is **ORDERED** to vacate the residence located at:

and to return one time under the escort of law enforcement to retrieve the Respondent's necessary personal property. The Applicant is granted exclusive use and possession of the residence until further Order of this Court. (TCIC Form POC-03)

The Respondent shall not interfere with the Applicant's use of the residence, including, but not limited to, disconnecting the utilities or telephone service or causing such services to be disconnected. (TCIC Form POC-08)

V. ORDER REGARDING LAW ENFORCEMENT ASSISTANCE

If this Order excludes the Respondent from the residence, the Court **ORDERS** the Sheriff, Constable, or Chief of Police to provide a law enforcement officer to:

- (1) Accompany the Applicant or the person granted possession of the residence to the residence identified above.
- (2) Inform the Respondent that the Court has ordered the Respondent excluded from the residence.
- (3) Protect the Applicant or person granted possession of the residence while the Applicant or person takes possession of the residence.
- (4) Protect the Applicant or person granted possession of the residence while the Applicant or person takes possession of his or her necessary personal property, if the Respondent refuses to vacate the residence.

VI. COSTS

The Court prohibits any person or agency, including a clerk of the court, sheriff, constable, or other public official or employee, from assessing the Applicant a fee, cost, charge, or expense in connection with the filing, serving, or entering of this Protective Order. (Sec. 81.002, Family Code)

VII. ADDITIONAL / SPECIAL ORDER(S)

(Mark one)

- (A) None are entered.
- (B) The Court enters the following **ADDITIONAL OR SPECIAL ORDER**:

VIII. WARNINGS

A PERSON WHO VIOLATES THIS ORDER MAY BE PUNISHED FOR CONTEMPT OF COURT BY A

FINE OF AS MUCH AS \$500.00 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 § 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.

IF A PERSON SUBJECT TO A PROTECTIVE ORDER IS RELEASED FROM CONFINEMENT OR IMPRISONMENT FOLLOWING THE DATE THE ORDER WOULD HAVE EXPIRED, OR IF THE ORDER WOULD HAVE EXPIRED NOT LATER THAN THE FIRST ANNIVERSARY OF THE DATE THE PERSON IS RELEASED FROM CONFINEMENT OR IMPRISONMENT, THE ORDER IS AUTOMATICALLY EXTENDED TO EXPIRE ON:

- (1) THE FIRST ANNIVERSARY OF THE DATE THE PERSON IS RELEASED, IF THE PERSON WAS SENTENCED TO CONFINEMENT OR IMPRISONMENT FOR A TERM OF MORE THAN FIVE YEARS; OR**
- (2) THE SECOND ANNIVERSARY OF THE DATE THE PERSON IS RELEASED, IF THE PERSON WAS SENTENCED TO CONFINEMENT OR IMPRISONMENT FOR A TERM OF FIVE YEARS OR LESS.**

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.
(Applies to Orders issued under Title 4, Family Code)

IF THIS ORDER IS GRANTED PURSUANT CHAPTER 7B, CODE OF CRIMINAL PROCEDURE, 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 A SEPARATE OFFENSE MAY BE PROSECUTED AS A SEPARATE OFFENSE IN ADDITION TO A VIOLATION OF THIS ORDER. *(Applies to Orders issued under Subchapter A, Chapter 7B, Code of Criminal Procedure)*

INTERSTATE VIOLATION OF THIS ORDER MAY SUBJECT YOU TO FEDERAL CRIMINAL PENALTIES. THIS PROTECTIVE ORDER IS ENFORCEABLE IN ALL FIFTY STATES, THE DISTRICT OF COLUMBIA, TRIBAL LANDS, AND U.S. TERRITORIES.

IX. WRITTEN ADMONITION ON INELIGIBILITY TO POSSESS FIREARM OR AMMUNITION

In accordance with 1 Texas Administrative Code § 176.1, the Court hereby admonishes you of the following:

- 1. You are, by entry of this Order or Judgment, ineligible under Texas law to possess a firearm or ammunition.**
- 2. Beginning now, if you possess a firearm or ammunition it could lead to charges against you. If you have questions about how long you will be ineligible to possess a firearm or ammunition, you should consult an attorney.**

3. Under Texas Penal Code § 46.01(3):
 - a. “Firearm” means any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use.
 - b. “Firearm” does not include a firearm that may have, as an integral part, a folding knife blade or other characteristics of weapons made illegal by Penal Code Chapter 46 and that is (1) an antique or curio firearm manufactured before 1899 or (2) a replica of an antique or curio firearm manufactured before 1899 but only if the replica does not use rim fire or center fire ammunition.

For more information about the laws that make you ineligible to possess a firearm or ammunition, or for more information on how long your ineligibility to possess a firearm or ammunition lasts, the Court recommends you contact an attorney. For your reference, you may wish to consult the statutes listed below, which may or may not apply to your circumstances:

- Code of Criminal Procedure Article 17.292—Magistrate’s Order for Emergency Protection
- Code of Criminal Procedure Article 27.14(e)(1)—Plea of Guilty or Nolo Contendere in Misdemeanor
- Code of Criminal Procedure Article 42.0131—Notice for Persons Convicted of Misdemeanors Involving Family Violence
- Penal Code § 46.02—Unlawful Carrying Weapons
- Penal Code § 46.04—Unlawful Possession of Firearm
- Penal Code § 25.07—Violation of Certain Court Orders or Conditions of Bond in a Family Violence, Child Abuse or Neglect, Sexual Assault or Abuse, Indecent Assault, Stalking, or Trafficking Case
- Family Code § 85.026—Warning on Protective Order

IX. CONFLICTING ORDERS

DURING THE TIME IN WHICH THIS ORDER IS VALID AND SUBJECT TO TRANSFER, THIS ORDER PREVAILS OVER ANY OTHER ORDER RENDERED IN A SUIT FOR DISSOLUTION OF A MARRIAGE OR A SUIT AFFECTING THE PARENT-CHILD RELATIONSHIP TO THE EXTENT OF ANY CONFLICT BETWEEN THE ORDERS.

X. DURATION OF PROTECTIVE ORDER

This Order expires on _____ . *(Duration cannot exceed 20 days)*

Signed on _____

 HONORABLE JUDGE
 JUDGE PRESIDING

NOTICE: THIS DOCUMENT CONTAINS SENSITIVE DATA

CAUSE NO. _____

APPLICANT § IN THE _____
§
VS. §
§

RESPONDENT § OF _____ COUNTY, TEXAS
§

PROTECTIVE ORDER

1. APPLICANT (PROTECTED PERSON) *(Complete all entries below)*

*Name: _____

*County of Residence: _____

2. RESPONDENT (ORDER ISSUED AGAINST) *(Complete all entries below)*

*Name: _____

* County of Residence: _____

3. MINORS - FAMILY OR HOUSEHOLD MEMBERS (PROTECTED PERSONS)

Name

a. _____

b. _____

c. _____

d. _____

4. OTHER PROTECTED PERSONS

Name

a. _____

b. _____

c. _____

On this day, the Court heard the Applicant's Application for Protective Order filed in the above-referenced cause pursuant to Title 4, Family Code, or Chapter 7B, Code of Criminal Procedure.

The Court **FINDS** that the Respondent was provided with reasonable notice of the hearing and an opportunity to be heard.

I. APPEARANCES

(Mark all that apply)

Applicant: appeared in person did not appear Applicant's attorney:

Respondent: appeared in person did not appear Respondent's attorney:

II. FINDINGS AND ORDERS

(Mark all that apply)

After considering the application, evidence, and arguments of the parties, if any, the Court:

- (A) **FINDS** that family violence occurred. Therefore, the Court grants the application and issues this Protective Order against the Respondent.
- (B) **FINDS** that there is a presumption that family violence occurred because the Respondent was convicted of or placed on deferred adjudication community supervision for an offense under Title 5, Penal Code, for which the Court made an affirmative finding that family violence was involved, or for an offense under Title 6, Penal Code, that was committed against the child for whom this application was filed, and the Respondent's parental rights regarding the child have been terminated. Therefore, the Court grants the application and issues this Protective Order against the Respondent.
- (C) **FINDS** that the Respondent failed to appear after receiving service of the application and notice of the hearing. The Court further **FINDS** that proof of service was filed with the Court before the hearing. Therefore, the Court grants the application and issues this Protective Order by default against the Respondent.
- (D) **FINDS** that the parties reached an agreement with respect to this Protective Order. The Court further **FINDS** that the agreement does not require the Applicant to do or refrain from doing an act under Section 85.022, Family Code. Therefore, the Court approves the agreement without making a finding of family violence and issues this AGREED PROTECTIVE ORDER against the Respondent. The Court **FINDS** that the Order is in the best interest of the Applicant, the family or household, or a member of the family or household. The Court **FINDS** that the Respondent agreed did not agree to waive all post-order relief, including the right to appeal this Order and to file a motion for a new hearing or trial.
- (E) **FINDS** that the Respondent violated a Protective Order issued pursuant to Chapter 85, Family Code, by committing an act prohibited by the Order. The Court **FINDS** that the Protective Order was in effect at the time of the violation but expired thereafter. Therefore, the Court without making a finding of family violence grants the application and issues this Protective Order against the Respondent.
- (F) **FINDS** that there are reasonable grounds to believe the Respondent committed one or more of the following offenses(s) against the Applicant: Trafficking of Persons (Sec. 20A.02, Penal Code) Continuous Trafficking of Persons (Sec. 20A.03, Penal Code) Continuous Sexual Abuse of Young Child or Disabled Individual (Sec. 21.02, Penal Code), Indecency With a Child (Sec. 21.11, Penal Code) Sexual Assault (Sec. 22.011, Penal Code) Indecent Assault (Sec. 22.012, Penal Code) Aggravated Sexual Assault (Sec. 22.021, Penal Code) Stalking (Sec.

42.072, Penal Code) Compelling Prostitution (Sec. 43.05, Penal Code) Burglary of a habitation (Sec. 30.02 (c)(2) or (d). Therefore, the Court grants the application and issues this Protective Order against the Respondent.

(Art. 7B.003, Code Crim. Proc.)

- (G) **FINDS** that the Respondent's conviction or placement on deferred adjudication community supervision for the offense(s) marked below constitutes reasonable grounds to believe the Applicant is the victim of sexual assault or abuse, indecent assault, stalking, or trafficking. Therefore, the Court grants the application and issues this Protective Order against Respondent.
- Trafficking of Persons (Sec. 20A.02, Penal Code) Continuous Trafficking of Persons (Sec. 20A.03, Penal Code) Continuous Sexual Abuse of Young Child or Disabled Individual (Sec. 21.02, Penal Code) Indecency With a Child (Sec. 21.11, Penal Code) Sexual Assault (Sec. 22.011, Penal Code) Indecent Assault (Sec. 22.012, Penal Code) Aggravated Sexual Assault (Sec. 22.021, Penal Code) Stalking (Sec. 42.072, Penal Code) Compelling Prostitution (Sec. 43.05, Penal Code) Burglary of a habitation (Sec. 30.02 (c)(2) or (d). (Art. 7B.003, Code Crim. Proc.)

III. RELATIONSHIP OF PARTIES

(Mark all that apply)

The Court **FINDS** that the Applicant and the Respondent are related in the following manner:

- | | |
|--|--|
| <input type="checkbox"/> No relationship | <input type="checkbox"/> Parent-child relationship |
| <input type="checkbox"/> Current or former spouses | <input type="checkbox"/> Foster parent-foster child relationship |
| <input type="checkbox"/> Current or former dating partners | <input type="checkbox"/> Applicant is married to or dating Respondent's former spouse or dating partner |
| <input type="checkbox"/> Are or were members of the same family or household | <input type="checkbox"/> Respondent is dating or married to Applicant's current or former spouse or dating partner |
| <input type="checkbox"/> Parents of the same child(ren) | |
| <input type="checkbox"/> Relatives | |

IV. CONDITIONS AND TERMS OF ORDER

(Mark all that apply)

The Court **FINDS** that the following conditions and terms are necessary or appropriate to prevent or reduce the likelihood of family violence or future harm to a person protected by this Order or a member of the family or household of a person protected by this Order. The Court **ORDERS** the Respondent to obey all entries marked below. The **Respondent must**:

- (A) **NOT** commit further acts of family violence against Applicant or any member of the Applicant's family or household (including acts intended to result in physical harm, bodily injury, assault or sexual assault, or threats reasonably placing a person in fear of physical harm, bodily injury, assault or sexual assault). (TCIC Form PCO-01)
- (B) **NOT** communicate in any manner with a person protected by this Order or a member of the family or household of a person protected by this Order, except through a protected person's attorney or a person appointed by the Court. The name of the attorney or person appointed by the Court is: _____ The Court **FINDS** that good cause exists to prohibit direct communication from the Respondent. (TCIC Form PCO-08)
- (C) **NOT** communicate in a threatening or harassing manner, directly or indirectly, with a person protected by this Order or a member of the family or household of a person protected by this Order. (TCIC Form PCO-05)
- (D) **NOT** communicate a threat through any person to a person protected by this Order or a member of the family or household of a person protected by this Order. (TCIC Form PCO-05)

- (E) **NOT** go within _____ yards of a person protected by this Order or a member of the family or household of a person protected by this Order, except as authorized by this Order. (TCIC Form PCO-08)
- (F) **NOT** go to or within _____ yards of the residence or place of employment/business of a person protected by this Order or a member of the family or household of a person protected by this Order. (TCIC Form PCO-04) The addresses of the prohibited locations are: *(Enter the addresses below)*
 Residence: _____
 Place of Employment/Business: _____
- (G) **NOT** go to or within _____ yards of the child-care facility or school of a person protected by this Order or a member of the family or household of a person protected by this Order. (TCIC Form PCO-04) The addresses of the prohibited locations are: *(Enter the addresses below)*
 Child-care facility: _____
 School: _____
- (H) **NOT** engage in conduct that is reasonably likely to harass, annoy, alarm, abuse, torment, or embarrass when that conduct is directed specifically toward a person protected by this Order or a member of the family or household of a person protected by this Order, including not following or causing another to follow a protected person or member. (TCIC Form PCO-01)
- (I) **NOT** take, harm, threaten, or interfere with the care, custody, or control of the following pet, companion animal, or assistance animal, _____
 (TCIC Form PCO-08) *(Enter the name and/or description of the pet or animal)*
- (J) **NOT** transfer, encumber, or otherwise dispose of property mutually owned or leased by the parties, except when done so in the ordinary course of business. (TCIC Form PCO-08)
- (K) **NOT** track or monitor the personal property or a motor vehicle in the possession of a person protected by this Order or a member of the family or household of a person protected by this Order, without the person's effective consent, including by not tracking or monitoring the person with a tracking device or application or by physically following the person. (TCIC Form PCO-01)
- (L) **NOT** own, possess, buy or attempt to buy, receive or attempt to receive, or in any other way obtain possession, ownership, or control of a firearm, firearm parts, 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. (TCIC Form PCO-07)
- (M) **NOT** attempt to prevent or dissuade a protected person from attending a hearing, testifying, or making a report to any law enforcement agency or another person.
 (TCIC Form PCO-08)
- (N) The Respondent is ordered to enroll in, pay costs for, and enter the program checked below no later than ___ / ___ / ___ and complete the program by ___ / ___ / ___. *(Mark one)* (TCIC Form PCO-08)
- 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:
 _____ The Respondent is ordered to comply with any recommendation or referral for additional or alternate counseling within _____ days of the recommendation. The Respondent is further 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. If applicable, the Respondent must follow these instructions with respect to notifying the Court of the Respondent's completion of the program:

- 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 who has completed family violence intervention training that the Community Justice Assistance Division of the Texas Department of Criminal Justice has approved: _____

_____ The Respondent is ordered to comply with any recommendation or referral for additional or alternate counseling within _____ days of the recommendation. The Respondent is further 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. If applicable, the Respondent must follow these instructions with respect to notifying the Court of the Respondent's completion of the program: _____

- (O) Other condition or term: _____
- (P) Other condition or term: _____
- (Q) Other condition or term: _____
- (R) Other condition or term: _____

V. ORDERS REGARDING SEPARATION OF WIRELESS TELEPHONE SERVICE ACCOUNT

(Mark the box if the Court wants to separate the wireless telephone service account)

The Court **FINDS** that the Applicant, and/or a child in the Applicant's care or custody is/are the primary user(s) of one or more wireless telephone number(s) associated with the Respondent's wireless telephone service account. As requested by the Applicant or alleged victim, the Court **ORDERS** the separation of the following wireless telephone numbers from the Respondent's wireless telephone service account. **(TCIC Form PCO-08)**:

- _____ Applicant's/Victim's phone number child's phone number
- _____ Applicant's/Victim's phone number child's phone number
- _____ Applicant's/Victim's phone number child's phone number

(Sheet may be attached with additional numbers)

The Court issued a separate order directing the Respondent's wireless telephone service provider to separate and transfer the account to _____ Please see attached Order for Separation of Wireless Telephone Service Account.

The Court **ORDERS** the Respondent to pay the costs associated with transferring the account and any outstanding balance.

BY ORDER OF THIS COURT, the telephone numbers of persons protected by this Order are **CONFIDENTIAL** and **shall not be released to the Respondent**. The Court **ORDERS** the clerk of the court to strike the telephone numbers from the public records of the Court and maintain a confidential record of the numbers for use only by the Court or law enforcement for the purpose of entering the information required by Section 411.042(b)(6), Gov't Code, into the statewide law enforcement information system maintained by the Texas Department of Public Safety.

VI. COSTS

(Mark the appropriate box)

- The Court **ORDERS** the Respondent to pay the \$16 protective order fee, the standard fees charged by the clerk of the court in a general civil proceeding for the cost of serving this Order, the costs of court, and all other fees, charges, or expenses incurred in connection with the application and this Order.
- The Court **WAIVES** all costs and fees incurred in connection with the application and this Order because the Respondent is indigent or good cause exists to waive the costs and fees.
- The Court **ORDERS** the Respondent to pay the following costs and fees:
-
- The Court **ORDERS** the Respondent to pay attorney fees in the amount of \$_____. (The Court must consider the Respondent's income and ability to pay before assessing attorney fees. Sec. 81.005, Family Code)

VII. ADDITIONAL / SPECIAL ORDERS

(Mark one)

- (A) None are entered.
- (B) The Court enters the following **ADDITIONAL OR SPECIAL ORDERS**: _____
-

VIII. WARNINGS

A PERSON WHO VIOLATES THIS ORDER MAY BE PUNISHED FOR CONTEMPT OF COURT BY A FINE OF AS MUCH AS \$500.00 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 § 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.

IF A PERSON SUBJECT TO A PROTECTIVE ORDER IS RELEASED FROM CONFINEMENT OR IMPRISONMENT FOLLOWING THE DATE THE ORDER WOULD HAVE EXPIRED, OR IF THE ORDER WOULD HAVE EXPIRED NOT LATER THAN THE FIRST ANNIVERSARY OF THE DATE THE PERSON IS RELEASED FROM CONFINEMENT OR IMPRISONMENT, THE ORDER IS AUTOMATICALLY EXTENDED TO EXPIRE ON:

- (1) THE FIRST ANNIVERSARY OF THE DATE THE PERSON IS RELEASED, IF THE PERSON WAS SENTENCED TO CONFINEMENT OR IMPRISONMENT FOR A TERM OF MORE THAN FIVE YEARS; OR**
- (2) THE SECOND ANNIVERSARY OF THE DATE THE PERSON IS RELEASED, IF THE PERSON WAS SENTENCED TO CONFINEMENT OR IMPRISONMENT FOR A TERM OF FIVE YEARS OR LESS.**

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. *(Applies to Orders issued under Title 4, Family Code)*

IF THIS ORDER IS GRANTED PURSUANT CHAPTER 7B, CODE OF CRIMINAL PROCEDURE, 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 A SEPARATE OFFENSE MAY BE PROSECUTED AS A SEPARATE OFFENSE IN ADDITION TO A VIOLATION OF THIS ORDER. *(Applies to Orders issued under Subchapter A, Chapter 7B, Code of Criminal Procedure)*

POSSESSION OF A FIREARM OR AMMUNITION WHILE THIS PROTECTIVE ORDER IS IN EFFECT MAY SUBJECT THE 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 FIREARM FOR THE DURATION OF THIS ORDER.

INTERSTATE VIOLATION OF THIS ORDER MAY SUBJECT YOU TO FEDERAL CRIMINAL PENALTIES. THIS PROTECTIVE ORDER IS ENFORCEABLE IN ALL FIFTY STATES, THE DISTRICT OF COLUMBIA, TRIBAL LANDS, AND U.S. TERRITORIES.

IX. WRITTEN ADMONITION ON INELIGIBILITY TO POSSESS FIREARM OR AMMUNITION

In accordance with 1 Texas Administrative Code §176.1, the Court hereby admonishes you of the following:

1. You are, by entry of this Order or Judgment, ineligible under Texas law to possess a firearm or ammunition.
2. Beginning now, if you possess a firearm or ammunition it could lead to charges against you. If you have questions about how long you will be ineligible to possess a firearm or ammunition, you should consult an attorney.
3. Under Texas Penal Code §46.01(3):
 - a. "Firearm" means any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use.
 - b. "Firearm" does not include a firearm that may have, as an integral part, a folding knife blade or other characteristics of weapons made illegal by Penal Code Chapter 46 and that is (1) an antique or curio firearm manufactured before 1899 or (2) a replica of an antique or curio firearm manufactured before 1899 but only if the replica does not use rim fire or center fire ammunition.

For more information about the laws that make you ineligible to possess a firearm or ammunition, or for more information on how long your ineligibility to possess a firearm or ammunition lasts, the Court recommends you contact an attorney. For your reference, you may wish to consult the statutes listed below, which may or may not apply to your circumstances:

- Code of Criminal Procedure Article 17.295—Magistrate’s Order for Emergency Protection
- Code of Criminal Procedure Article 27.14(e)(1)—Plea of Guilty or Nolo Contendere in Misdemeanor
- Code of Criminal Procedure Article 42.0131—Notice for Persons Convicted of Misdemeanors Involving Family Violence
- Penal Code §46.02—Unlawful Carrying Weapons
- Penal Code §46.04—Unlawful Possession of Firearm
- Penal Code §25.07—Violation of Certain Court Orders or Conditions of Bond in a Family Violence, Child Abuse or Neglect, Sexual Assault or Abuse, Indecent Assault, Stalking, or Trafficking Case
- Family Code §85.026—Warning on Protective Order

X. SUSPENSION OF LICENSE TO CARRY A HANDGUN

If the Defendant has a license to carry a handgun, the **COURT HEREBY SUSPENDS THE LICENSE** for the duration of this Order (TCIC Form PCO-08).

XI. FINDINGS IN COMPLIANCE WITH FEDERAL LAW

(Mark the box only if the three conditions listed below are true)

The Court finds that the Respondent is **DISQUALIFIED** from possessing a firearm pursuant to federal law because:

1. the Applicant and the Respondent are spouses or former spouses, share a child in common, and/or live together or have lived together in an intimate relationship;
2. the Respondent has received actual notice of the hearing pertaining to this order, and was given an opportunity to participate; **and**
3. this order restrains the Respondent from harassing, stalking, or threatening the Applicant or child of the Applicant.

XII. CONFIDENTIALITY OF INFORMATION

BY ORDER OF THIS COURT, the address, county of residence and telephone number of persons protected by this Order and the address and telephone number of the place of employment or business, child-care facility or school of a person protected by this Order are CONFIDENTIAL. The Court **ORDERS** the clerk of the court to strike this information from the public records of the Court and maintain a confidential record of the information for use only by the Court or law enforcement for the purpose of entering the information required by Section 411.042(b)(6), Gov't Code, into the statewide law enforcement information system maintained by the Texas Department of Public Safety.

The Court designates the following person as the person to receive on a protected person's behalf notices and other documents related to this Order.

Name: _____
Address: _____

XIII. ORDERS TO THE CLERK OF THE COURT

If the Order suspends the Respondent's license to carry a handgun, the Clerk shall send a copy of this Order to the appropriate division of the Texas Department of Public Safety (DPS) at its Austin headquarters (see the address below):

**Texas Department of Public Safety
Handgun Licensing Program, MSC 0245
PO Box 4087
Austin, Texas 78773-0245**

THE COURT ORDERS the clerk of the court to enter both the Protective Order and the Application for Protective Order into the Protective Order Registry within 24 hours after the court issues this Order.

XIV. ORDER REGARDING LAW ENFORCEMENT ASSISTANCE

If this Order excludes the Respondent from the residence, and the Applicant or the person granted possession of the residence requests assistance, the Court **ORDERS** the Sheriff, Constable, or Chief of Police to provide a law enforcement officer to:

- 1. accompany the Applicant, or the person granted possession of the residence, to the residence covered by this Order;
- 2. inform the Respondent that the Court has ordered the Respondent excluded from the residence;
- 3. protect the Applicant and other protected person(s), if any, while the Applicant and protected person(s) take possession of the residence, and the Respondent takes possession of the Respondent's necessary personal property; and
- 4. if the Respondent refuses to vacate the residence, remove the Respondent from the residence and arrest the Respondent for violating this Order.

XV. CONFLICTING ORDERS

DURING THE TIME IN WHICH THIS ORDER IS VALID AND SUBJECT TO TRANSFER, THIS ORDER PREVAILS OVER ANY OTHER ORDER RENDERED IN A SUIT FOR DISSOLUTION OF A MARRIAGE OR A SUIT AFFECTING THE PARENT-CHILD RELATIONSHIP TO THE EXTENT OF ANY CONFLICT BETWEEN THE ORDERS.

XVI. DURATION OF PROTECTIVE ORDER

(Mark a duration time (A, B, C, D, E, or F) then follow the instructions therein)

- (A) This Order expires on / / .
(This date cannot exceed two years from the date this Order is signed. If the date needs to exceed two years, check one of the options below.)
- (B) This Order expires on / / , which date is more than two years from the date this Order is signed because the Court **FINDS** that: *(Mark the appropriate box)*
 - The Respondent caused serious bodily injury to the Applicant or a member of the Applicant's family or household.
 - The Respondent was the subject of two or more previous protective orders protecting the Applicant and both of those orders contained findings that the Respondent committed family violence.
 - The Respondent committed an act constituting a felony offense involving family violence against the Applicant or a member of the Applicant's family or household, regardless of whether the Respondent has been charged with or convicted of the offense.
- (C) The Court issues this Order under Art. 7B.003, Code of Criminal Procedure. **THEREFORE**, this Order is effective: *(Mark the appropriate box)*
 - Until / / . *(Enter any period shorter than the duration of the parties' lives)*
 - For the duration of the Respondent's and the Applicant's lives.
 - The duration of the Respondent's and the Applicant's lives because the Respondent was convicted of or placed on deferred adjudication community supervision for an offense listed in Article 7B.001(a)(1) or (a)(2), Code of Criminal Procedure, specifically: *(Enter the offense name and statute)* , and is required under Chapter 62, Code of Criminal Procedure, to register for life as a sex offender.
- (D) This Order is rendered against a respondent who is a party to a suit for dissolution of a marriage in which the applicant or a member of the applicant's family or household is the other party. This Order is effective until the second anniversary of the date on which the final decree of dissolution of the

marriage is approved and signed by the judge in Cause No. _____. (Enter the cause number of the suit of dissolution) in the _____ Court (Enter the name of the court in which the suit for dissolution is filed or pending) in _____ County (Enter the name of the county in which the suit for dissolution is filed or pending).

- (E) This Order is rendered against a respondent who is a party to a suit affecting the parent-child relationship in which the applicant or a member of the applicant's family or household is also a party. This Order is effective until the second anniversary of the date on which the final order in the suit is rendered by the court in Cause No. _____. (Enter the cause number of the SAPCR) in the _____ Court (Enter the name of the court in which the SAPCR is filed or pending) in _____ County (Enter the name of the county in which the SAPCR is filed or pending).
- (F) This Order is rendered against a respondent who is charged with a criminal offense involving family violence under Title 5, Penal Code, or an offense under Section 25.11, Penal Code. This Order is effective until the second anniversary of the date of the final disposition of the criminal case in Cause No. _____. (Enter the cause number of the criminal case) in the _____ Court (Enter the name of the court in which the criminal case is filed or pending) in _____ County (Enter the name of the county in which the criminal case is filed or pending).

DATE ENTERED BY JUDGE: _____

(This is the date the Order or Motion is granted)

DATE SIGNED BY JUDGE: _____

(This the is the date the judge signs the Order)

PRESIDING JUDGE'S SIGNATURE

PRESIDING JUDGE'S PRINTED NAME

TCIC Protective Order Data Entry Form

To be completed by the Criminal Justice/Law Enforcement Official and released to authorized agencies only.

ORI:	Choose One: Protective Order Emergency Protective Order		
OCA:	Protective Order Number:	Court Identifier:	
Issue Date:	Date of Expiration:	Date Signed:	Date Rescinded:

ALL fields should be completed to ensure timely entry into TCIC. Missing pertinent information will delay entry and will require the entering agency to contact the court to provide the necessary information.

Respondent Name:				Sex: Male Female	
Race: (circle one): Indian Asian Black White Unknown				Ethnicity: (circle one) Hispanic Non-Hispanic Unknown	
Place of Birth:	Citizenship:	Date of Birth:	Height:	Weight:	
Skin: (circle one): Albino Black Dark Dk Brown Fair Light Lt Brown Medium Med Brown Olive Ruddy Sallow Yellow					
Eye Color: (circle one): Black Blue Brown Gray Green Hazel Maroon Pink Multi-Colored Unknown					
Hair Color: (circle one) Black Blond Brown Gray Red White Sandy Bald Blue Green Orange Pink Purple Unknown					
Scars, Marks and/or Tattoos: (please describe in detail)					
AKA's:					
Caution and Medical Conditions: (circle all that apply)					
00 – Armed and Dangerous		05—Violent Tendencies		10—Martial Arts Expert	
20—Known to Abuse Drugs		25—Escape Risk		30—Sexually Violent Predator	
Alcoholic		60—Allergies		65—Epilepsy	
80—Medication Required		85—Hemophiliac		90—Diabetic	
				15—Explosive Expertise	
				40-Int'l Flight Risk	
				50—Heart Condition	
				70—Suicidal	
				01--Other	
Protection Order Conditions (PCO): (circle all that apply)					
01 Respondent is restrained from assaulting, threatening, abusing, harassing, following, interfering with or stalking the protected person and/or child of the protected person					
02 Respondent may not threaten a member of the protected person's family/household					
03 The protected person is granted exclusive possession of the residence/household					
04 Respondent is required to stay away from the residence, property, school or place of employment of the protected person or other family or household member					
05 Respondent is restrained from making any communication with the protected person including, but not limited to, personal, written, or phone contact, or their employers, employees or fellow workers, or others whom the communication would be likely to cause annoyance or alarm					
06 Respondent is awarded temporary custody of the children named					
07 Respondent is prohibited from possessing and/or purchasing a firearm or other weapon					
08 See miscellaneous field for comments regarding terms and conditions of the protection order (add all prohibitions ordered <u>not</u> already assigned a code, e.g. pets, utilities, mutually owned property, distance, bond conditions, visitation details and/or other special prohibitions).					
09 The protected person is awarded temporary exclusive custody of the child(ren) named					
Brady Record Indicator (BRD): N—Respondent is NOT disqualified Y—Respondent is disqualified U—Unknown				SVC:(circle one) served/not served/unknown	
				SVD:	
Relationship to Protected Person: (Not the additional PPNS)					

Please include the following numeric identifiers, if available:

Driver License:	DL State:	DL Expiration:
Texas ID:	Miscellaneous ID:	Social Security:

Respondent Address:			
City:	County:	State:	Zip:

Protective Order Data Entry Form – Page 2

Respondent Name:

Respondent Vehicle Data:

License Plate:	LP State:	LP Year:	LP Type:
Vehicle ID:	Year:	Color:	
Make:	Model:	Style:	

Protected Person Data

Protected Person Name:	Sex: Male Female		
Race: (circle one): Indian Asian Black White Unknown	Ethnicity: (circle one) Hispanic Non-Hispanic Unknown		
Date of Birth:	Social Security:		
Protected Person Address:			
City:	County:	State:	Zip:

Protected Person Employer Data

Protected Person Employer Name:	Address:		
City:	State:	Zip:	
Protected Person Employer Name:	Address:		
City:	State:	Zip:	

Protected Child Data (Use additional pages if necessary)

Protected Child Name:	Sex: Male Female		
Race: (circle one): Indian Asian Black White Unknown	Ethnicity: (circle one) Hispanic Non-Hispanic Unknown		
Date of Birth:	School/Child Care Name and Address:		
Home Address:	City:	State:	Zip:
Protected Child Name:	Sex: Male Female		
Race: (circle one): Indian Asian Black White Unknown	Ethnicity: (circle one) Hispanic Non-Hispanic Unknown		
Date of Birth:	School/Child Care Name and Address:		
Home Address:	City:	State:	Zip:

To be completed by Criminal Justice/Law Enforcement Official:

SID:	FBI #:	FPC:	MNU:
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Notes:

Use of Pseudonyms; Code of Criminal Procedures: Ch.58 Art. 58.051. (Confidentiality of Identifying Information for Certain Crime Victims) (Eff. 1/1/2021)
 Extension of PO if Respondent is confined or Imprisoned; Family Code: Sec. 85.025 (Duration of Protective Order)
 PCO-07-Possession of a firearm; Family Code: Sec. 85.022 (C)(6) (Requirements of order applying to person who committed family violence).
 Family Code Ch. 85, Sec. 85.007 (3)- the court shall order the clerk to maintain a confidential record of the information for use only by: (A) the court; or (B) a law enforcement agency for purposes of entering the information required by Section 411.042 (b) (6), Govt. Code into the statewide law enforcement information system maintained by the Department of Public Safety. (Eff. 9/1/17)