



TEXAS

Each state has different requirements for getting a civil domestic violence protective order. Because it makes protective orders reasonably accessible to teens, Texas' grade for protecting teen victims of domestic and dating violence is a B.

Do I Qualify for a Protective Order in Texas?

Type of Relationship

In order to qualify for a protective order, the abuser must be someone:

- You are dating or used to date¹
- You live with or used to live with²
- You have a child with³
- You are married to or used to be married to⁴
- You are related to by blood or marriage (including foster parent and child)⁵

Type of Abuse⁶

A judge is allowed to give you a protective order when your abuser has:

- Physically abused you or attempted or threatened to physically abuse you
- Sexually abused you
- Sexually assaulted you

Age

If you are 18 or over, you can get a protective order by yourself without an adult's involvement. If you are under 18, an adult family member or any adult may file for you.⁷

How Do I Get a Protective Order?

If you want a protective order, you may go to court to file for a temporary protective order. A judge may give you temporary order that day that lasts up to 20 days and will schedule a full hearing within 14 days after filing.⁸ After the hearing, a judge can grant you a permanent protective order which lasts for 2 years and is renewable.⁹

What Can I Ask for in a Protective Order?

You may ask the court for the following in a protective order:

- Abuser must not commit family violence, threaten or harass, annoy, alarm, abuse, torment, or embarrass you¹⁰
- The abuser cannot communicate directly or indirectly in a threatening or harassing manner (the only exception is that the abuser can communicate through an attorney)¹¹
- Abuser must stay away from your residence, work, business, child care, school¹²
- Temporary or exclusive use of the home¹³
- Child and spousal support¹⁴
- Counseling for abuser¹⁵
- Retention of abuser's firearm¹⁶
- Attorneys fees¹⁷

How Much Will It Cost?

It is free.¹⁸

You have the right to a safe and healthy relationship...
free from violence and free from fear.

¹ Tex. Fam. Code Ann. §71.0021(b), (c) (2007).

² *Id.* §71.005

³ *Id.* §71.003

⁴ *Id.*

⁵ *Id.*

⁶ *Id.* §§71.004, 71.0021.

⁷ *Id.* §82.002(a),(c).

⁸ Tex. Fam. Code. Ann. §§84.001, 84.002.

⁹ *Id.* §§85.025(a)(1), 82.008, 82.025, 82.0085.

¹⁰ *Id.* §85.022(b)(2)(A)-(B); (b)(5).

¹¹ *Id.*

¹² *Id.* §85.022(b)(3)-(4).

¹³ *Id.* §83.006, 85.021(2) (abuser must have committed violence within the last 30 days against household member, applicant must have lived in the house during the last 30 days, and must be likely danger of future abuse. If abuser owns the property, court must find an obligation to support party or child who is granted possession of house.).

¹⁴ *Id.* §85.021(4).

¹⁵ *Id.* §85.022(a)(1)-(2).

¹⁶ *Id.* §85.022(b)(6).

¹⁷ *Id.* §81.005.

¹⁸ *Id.* §81.002.

You have the right to a safe and healthy relationship..
free from violence and free from fear.