

Domestic Violence Implementation Lab

Interjurisdictional Service in Texas

A Resource from the
Pandemic Rapid Response Team

December 2022



	Ex Parte Protective Order (Temporary/Emergency)	Final Protective Order
Statute	Texas Statutes, Family Code, Title 4. Protective Orders and Family Violence	
Terminology	Temporary Ex Parte Protective Order	Protective Order
Length of Order	Up to 20 days, unless otherwise ordered by the court	Up to 2 years, unless otherwise ordered by the court
Available Relief	<ul style="list-style-type: none"> • Participate in a battering intervention and prevention program or counseling • Prohibit respondent from: <ul style="list-style-type: none"> ○ Committing family violence; ○ Communicating directly or through any person with a person (or a member of the family or household of a person) protected by an order, in a threatening or harassing manner; ○ Going to or near the residence or place of employment or business of a person (or a member of the family or household of a person) protected by an order; ○ Going to or near the residence, child-care facility, or school a child protected under the order normally attends or in which the child normally resides; ○ Engaging in conduct directed specifically toward a person (or a member of the family or household of a person) protected by an order, including following the person, that is reasonably likely to harass, annoy, alarm, abuse, torment, or embarrass the person; ○ Possessing a firearm, unless the person is a peace officer; ○ Harming, threatening, or interfering with the care, custody, or control of a pet, companion animal, or assistance animal that is possessed by or is in care of a person (or by a member of the family or household of a person) protected by an order; • Suspend respondent’s license to carry a handgun • Separate petitioner’s wireless telephone service, and that of the minor children in the petitioner’s custody, from respondent’s account. 	

Protected Parties	<ul style="list-style-type: none"> • Family or household member • Current/former spouses • Parents of same child • Foster child • Foster parent • Share a dating relationship • Intimate partner’s new relationship (e.g., ex-girlfriend’s new boyfriend) • People living in same dwelling
<u>Military Jurisdiction</u>	<p>Military Bases:</p> <ul style="list-style-type: none"> • 136 AW • 147 ATKW • 149 FW • Dyess AFB • Fort Bliss • Fort Hood • Goodfellow AFB • Joint Base San Antonio (Lackland, Randolph, Sam Houston) • Laughlin AFB • Naval Air Station Corpus Christi • Naval Air Station Joint Reserve Base Fort Worth • Naval Air Station Kingsville • Red River Army Depot • Sheppard AFB • US Army Cadet Command 5th Brigade • USAREC, 5th Medical Recruiting Battalion • USAREC, Dallas Battalion • USAREC, Houston Battalion • USAREC, San Antonio Battalion <p>Processes on Military Jurisdictions: Contact the individual military jurisdiction for service process details.</p>

Requirements for Service	<ul style="list-style-type: none"> • After the hearing, the court shall transmit a copy of the order: <ul style="list-style-type: none"> ○ Within 1 business day: <ul style="list-style-type: none"> ▪ The local law enforcement agency or county sheriff for the area in which the petitioner resides. ▪ The child-care facility or school (if the respondent is prohibited from going there) ▪ Division of Public Safety (if the order suspends the respondent’s license to carry) ▪ Child Support Division, Office of the Attorney General (if the order includes conditions related to child support) ○ Within 3 business days: <ul style="list-style-type: none"> ▪ The respondent • Orders may be served by a party to the suit, an attorney, or law enforcement via: <ul style="list-style-type: none"> ○ E-mail ○ Personal service ○ Mail ○ Commercial delivery service ○ Fax
Registration Required for Enforcement	<ul style="list-style-type: none"> • Not required
<u>Tribal Jurisdictions</u>	<p>Federally Recognized Tribe:</p> <ul style="list-style-type: none"> • Alabama-Coushatta Tribe of Texas • Kickapoo Traditional Tribe of Texas • Ysleta Del Sur Pueblo <p>Processes on Tribal Jurisdictions: Unknown</p>
Other Information	None

Out of State Service Fees¹:

None

For more information, please contact State Point of Contact Kim Piechowiak (kim.piechowiak@txcourts.gov).

If you would like to provide suggestions/feedback on this Profile, visit:
https://ncsc2.iad1.qualtrics.com/jfe/form/SV_eQzzYCcgK38Q64C

¹ Courts should not charge a victim of domestic violence, dating violence, stalking, or sexual assault any costs associated with the filing, issuance, registration, or service of protection orders, whether issued by

civil or criminal courts, including intra- and inter-jurisdictional orders. This no-cost provision also applies to any fees or costs associated with a criminal matter related to domestic violence, stalking, dating violence, and sexual assault (42 U.S.C. § 3796 hh(c)(4)). Charging any of these costs will render a jurisdiction ineligible for certain VAWA funds.

