

Cause No.: _____

Applicant: _____ § In the _____ Court
v. _____ § of _____
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.
- ☐ The Applicant is dating or married to a person who was married to or dating the Respondent.

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

Name:	Is Respondent the biological parent?	County of Residence:
a. _____	Yes No	_____
b. _____	Yes No	_____
c. _____	Yes No	_____
d. _____	Yes 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, or are in a dating or marriage relationship with the Applicant.

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. Prohibit the Respondent from harming, threatening, or interfering with the care, custody, or control of the following pet, companion animal or assistance animal: _____ (describe the animal).
- l. 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 or Declaration, 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 or Declaration. 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 _____ (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. 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: _____

12. Has the Defendant ever been convicted of family violence? Yes No

If yes, list when and in which county and state the convictions occurred: _____



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 and 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: _____

DECLARATION

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 _____, on the _____ day of _____ (Month), _____ (Year).

(Declarant Signature).

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: _____

12. Has the Defendant ever been convicted of family violence? Yes No

If yes, list when and in which county and state the convictions occurred: _____



Applicant signs here