

## **What is a Protective Order?**

A Protective Order:

- Orders a person not to commit any more family violence.
- Orders a person not to come within a certain distance of where the victim lives and works and of the victim's children, their home, school, day care or baby sitter.
- Orders a person not to communicate with the victim indirectly in a way that is harassing or threatening.
- Prevents a person from harassing, annoying, alarming, abusing, tormenting or embarrassing the victim or any member of the victim's family or household.
- If you are still living together, requires the defendant to move out.

## **Who is entitled to a Protective Order?**

The person who committed the family violence against the victim must be either:

- Related to the victim by blood or marriage.
- Currently living with the victim or must have lived with them at some time.
- Someone with whom the victim has had a child.
- Someone the victim has or had a continuing relationship of a romantic or intimate nature.

## **How to Apply**

You will be required to fill out a simple application form giving us information on yourself and the person you are making the complaint against (the defendant). If you cannot fill out the application, we will help do it for you.

An Advocate (interviewer) will take you in their office and gather all the facts and information regarding your case. They will assist you with any questions you may have about the criminal justice system throughout the protective order and judicial process.

At this time it is determined whether to send the defendant a letter, raise a bond, secure a no-contact order or request a protective order. You will also be referred to various outside agencies for appropriate services.

## **What information do we need from you?**

In order to provide you with a Protective Order, we need the following:

- A police report. (We will obtain this for you; however, if you have a recent police report it will expedite your case).

- A statement that we take from you describing what type of violence has occurred.
- A current address on the defendant.

## **Protective Order Procedures**

Once the paperwork is prepared, a protective order hearing will be scheduled in two (2) weeks to give the Sheriff's Office time to serve the defendant. Once granted, a protective order lasts two years.

The Sheriff's Office will hand deliver the paperwork to the defendant. The paperwork consists of an application for the protective order, the sworn statement you signed in our office describing the violence, and a Temporary Ex Parte Order to keep the defendant from bothering you until the hearing date. This includes keeping the defendant away from your house and job.

If the Defendant is served, you will need to go to Court. An attorney and an advocate will go with you to Court to represent you and answer all your questions.

If the defendant agrees to leave you alone, an Agreed Protective Order will be issued. If he or she does not show, you automatically get a Protective Order by default. If he or she denies the charges, a hearing will be held in front of a Judge who will decide if you get the Protective Order.

Once you receive the Protective Order, the defendant may be arrested if he or she bothers you or goes near your residence. However, if the defendant is not delivered (served) the papers, the case will be reset again for two (2) weeks, and again, if necessary.

**Please note that the Protective Order Division has relocated to the Bexar County Family Justice Center**

The Bexar County Family Justice Center is located at 1123 N. Main Avenue, Suite 100, San Antonio, Texas 78212. At the Bexar County Family Justice Center you will have the opportunity to receive services from other agencies. Services include: shelter, transitional housing, utility assistance, counseling, spiritual guidance, civil legal services, medical care, financial assistance, food, and more. The Family Justice Center provides childcare and transportation services as well. For more information please call the Family Justice Center at **210.631.0100** or visit the <http://www.bcfjc.org/>

## The Bexar County Family Justice Center

The Bexar County Family Justice Center is a unique organization that provides the services and resources necessary to assist victims of domestic violence and their families in one, centralized location. The Family Justice Center is the only facility of its kind in the State of Texas.

The goals of the Bexar County Family Justice Center include:

- Greater access to legal and social services
- Effective apprehension and prosecution of domestic violence cases
- Increased reporting of undocumented domestic violence
- Empowerment and education of victims of domestic violence leading to the termination of abusive relationships, thus breaking the cycle of domestic violence - one family at a time

### **Programs & Services**

The FJC offers multiple programs and services to families in need.

- Law Enforcement & Prosecution
- Protective Orders
- Employment & Educational Assistance
- Family Services
- Child Therapy & Adult Counseling
- Civil Legal Assistance
- Health Care
- Military Service
- Housing (Temporary & Permanent)
- Substance Abuse Counseling
- Sexual Abuse/Assault Assistance & Counseling
- Crisis Intervention
- Child Care
- Financial Stabilization
- Food and Clothing
- Emergency Shelter

### **What is Domestic Violence?**

Domestic Violence can be defined as a pattern of behavior in any relationship that is used to gain or maintain power and control over an intimate partner or family member. Abuse includes physical, sexual, emotional, economic or psychological actions or threats. This includes any behaviors that frighten, intimidate, terrorize, manipulate, hurt, humiliate, blame, injure or wound someone. Domestic violence can happen to anyone of any race, age, sexual orientation, religion or gender. It can happen in any relationship and to anyone of any socioeconomic background or education.

In a legal context, Texas defines domestic violence as Family Violence, which is “an act by a member of a family or household against another member of the family or household that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, assault, or sexual assault, but does not include defensive measures to protect oneself.”