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PROTECTIVE ORDER PROCESS: WHAT HAPPENS NEXT?

Attorney Review / Filing / Service

- An attorney with our office will review your protective order intake file.
- If the attorney approves filing, a protective order application will be filed in the District Court, but the case will be heard at the County Court At Law.
- If the attorney has questions or declines to file, we will contact you.
- Our office will request a temporary ex parte protective order. The judge decides whether or not to grant the temporary ex parte protective order as requested based on the information in your affidavit.
- The law requires that the Respondent (person we are filing the protective order against) must be personally served with both notice of the hearing and the temporary ex parte protective order (if the judge has decided to grant a temporary ex parte protective order). The Respondent also receives a copy of the affidavit.
 - * *"Personally served" means the process server must give the protective order papers directly to the Respondent.*
 - * *If the Respondent cannot be personally served, we will make use of every legal method to serve him, but without serving him we cannot proceed.*
- You will be required to come to court for a hearing to obtain the protective order, which may be effective for 2 years. The judge decides the length of time that the protective order remains effective.
- You will receive a letter from our office informing you of our court date.
 - * *If your mailing address changes, please call our office.*
 - * *If you do not receive a letter within 2 weeks, call our office.*

Court - Things to Know Ahead of Time

- Please make arrangements to be in court all day. You may be done sooner.
- **Do not** bring your child(ren) to the courthouse unless instructed to do so by our office, make arrangements for any children (i.e. picking up from school, etc) in case you are in court all day.
- Bring a sweater or jacket as it can be cold in the courthouse.

- No eating is allowed in the courtroom. However, bring a snack or lunch in case you are in court all day. You can eat outside of the courtroom.
- Children 17 and under are NOT ALLOWED in court unless the judge gives permission ahead of time.
- If you have any witnesses, please bring them to court with you, unless the witness is 17 or under.
* *If the witness is 17 or under, do not bring him or her, but have that person available if their testimony is necessary.*
- If you have evidence you have not already given to us, please bring it to court. Examples: photos, recordings, medical records, letters, emails, etc.

Court Process

- Once in court, the docket is called. Everyone who has a court hearing that day should hear his or her name called.
- After the docket is called, you might be escorted to a waiting room.
- Our staff starts working on resolving the protective order application. This may mean meeting with Respondent and/or Respondent's Attorneys, reviewing evidence, talking with you about your case and working with the court.
- We will keep you informed about what is happening.

Case Resolution

- The type of hearing depends on whether or not the Respondent is in court and is contesting or agreeing to the order.
- You will be asked to testify about information in your affidavit. The lawyers will ask you questions.
- The judge decides whether or not to grant your order, what type of order will be granted, who is covered under the order, and certain conditions of the order.
- Generally, we try to resolve your case on your court date. However, your case could be carried to another day due to time constraints or if more information is needed.