



ERATH COUNTY ATTORNEY

Erath County Courthouse
Stephenville, Texas 76401
(254) 965-1453
(254) 965-1421 (fax)
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Protective Order Process

This office partners with Cross Timbers Family Services to process Protective Orders. In order to request a Protective Order, we ask that you contact Cross Timbers Family Services to meet with an advocate and discuss the process. Cross Timbers Family Services is able to provide counseling, transportation to-and-from court proceedings and other victim assistance. They can assist victims in filling out the necessary paperwork and submitting it to the County Attorney Office.

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 Erath County Court at Law. If the attorney has questions or declines to file, someone from the County Attorney's Office or Cross Timbers Family Services will contact you.
- 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 protective order (if the judge has decided to grant a temporary order).
 - "*Personally served*" means the process server must give the protective order papers directly to the Respondent.
 - If the Respondent cannot be personally served, we cannot move forward with the protective order.
- You will be required to come to court for a hearing to obtain the 2-year protective order.
- You will receive a letter from our office informing you of your court date.
 - If your mailing address changes, please call our office at 254-965-1453.
 - 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 for several hours. You may be done sooner.
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- 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.
- 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 to come to court if the judge wants to hear from him or her.
- 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 and all the applicants will be escorted to a private room.
 - Only applicants are allowed to go to the private room.
 - Witnesses must remain in the courtroom or in the hall.
 - You will be given further instructions about what to expect and do.
- Our staff starts working on resolving protective order applications. This may mean meeting with Respondents 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 application. The lawyers and/or the judge can 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.

Important:

Our office will not represent you on the protective order if another family case (i.e. custody, divorce) is open while the protective order case is pending.