

The Texas Health and Human Services commission reported an estimated 982,916 Texas women were victims of domestic violence in the year 2006. In Texas, more than 800 women were killed by their domestic partners between 1998 and 2005. These statistics evidence the growing number of women in need of protection.

The legal system can offer some protection from family violence through the use of a Protective Order. A Protective Order is a civil court order that is designed to restrain an abuser from continuing acts of violence and threatening, harassing, or stalking conduct. All victims of family violence are eligible for a Protective Order. A court shall render a protective order if it finds that family violence has occurred and is likely to occur in the future. A victim's testimony about family violence may be enough to obtain a protective order, without other documents such as a police reports.

Family, in Texas, has a very broad definition. Family can include relatives by blood or marriage, former spouses, parents of the same child (even if not married), foster parents or foster children, or any member or former member of a household (whether related by blood or marriage). Any adult member of the family may file for a Protective Order to protect himself or herself or any other member of the applicant's family or household, including children or the elderly. The application may be obtained through the office of the county or district attorney, a private attorney or a legal aid program.

Protective orders can be important in ending or deterring family violence. The purpose of the order is to: prevent future violence, identify appropriate and inappropriate behavior and reinforce beliefs that family violence is wrong. A judge can create various conditions of a Protective Order. In such order he can force a respondent to vacate a residence, pay child support, attend counseling, and/or not possess a firearm. A Protective Order can require the abuser to stay away from the victim's home, workplace, children, children's school, and to keep a specific distance between the abuser and the victim. It can order the abuser to stop communicating in a harassing or threatening manner. Abusers who violate a protective order can be fined, arrested or both. Keep in mind, no piece of paper can protect you from all incidents of violence; however, a Protective Order provides a good deterrent in most situations.

If the court reviewing the application determines there is a real threat of family violence, the court may issue a temporary ex parte order without notice to the abuser which is valid for up to 20 days. The court will then set a hearing date for the final protective order which will take place within the 20 day period. At the final hearing, if the court so determines necessary, it may grant a final Protective Order that may be effective for up to two years.

Protective Orders are also available for people going through divorce. In this case, the Protective Order must be filed in the same court where the divorce is pending and the pleadings in both matters must state that the other matter is pending. It is important to remember that a Protective Order is not a custody determination and can not be used by one party to gain an advantage in a divorce proceeding.

Please contact your local law enforcement or domestic violence prevention agency immediately if you or someone you care about is a victim of family violence. Even if you are not eligible for a Protective Order, there may be other options available. For information on family violence contact the Texas Council on Family Violence, P.O. Box 161810, Austin, Texas 78716; Phone Number (512) 794-1133; Website: <http://www.tcfv.org>.

The following is a safety planning list of things to get together if you are planning to leave: If you have children, take them and take your pets if you can:

Identification for yourself and your children:

- Birth certificates
- Social security cards
- Driver's license
- Photo identification or passport
- Welfare identification
- Green card

Important personal papers:

Marriage certificate
Divorce papers
Custody orders
Protective orders or restraining orders
Health insurance papers and medical cards
Medical records for family members
School records for children
Investment papers/records and account numbers
Work permits
Immigration papers
Rental agreements/lease or house deed
Car title, registration and insurance information

Funds:

Cash
Credit cards
ATM card
Checkbook and bank (deposit slips)

Keys:

House
Car
Safety deposit box
Post office box

Way to communicate:

Phone calling card
Cell phone (pay as you go phone is less traceable)
Address book

Medications:

At least 1 month's supply of all medications

Way to get by:

Jewelry or small objects you can sell if you run out of money
or your account access gets cut off

Things to help you cope:

Pictures
Keepsakes
Children's small toys and books