

Protective Orders (Issued in Court)

If a person violates a Protective Order they may be punished for contempt of court by a fine of as much as \$500 or by confinement in jail for as long as six months, or both.

No person, including a person who is protected by this Order, may give permission to anyone to ignore or violate any provision of a Protective Order. During the time in which the Order is valid, every provision of the Order is in full force and effect unless a court changes the Order.

It is unlawful for any person, other than a peace officer, as defined by Section 1.07, Penal Code, actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision, who is subject to a Protective Order to possess a firearm or ammunition.

A violation of a Protective Order by commission of an act prohibited by the Order may be punishable by a fine of as much as \$4,000 or by confinement in jail for as long as one year, or both. An act that results in family violence may be prosecuted as a separate misdemeanor or felony offense. If the act is prosecuted as a separate felony offense, it is punishable by confinement in prison for at least two years.

Possession of a firearm or ammunition while a Protective Order is in effect may subject respondent to federal criminal penalties. It is unlawful for any person who is subject to a Protective Order to knowingly purchase, rent, lease, or receive as a loan or gift from another, a handgun for the duration of this Order.

Interstate violation of a Protective Order may subject the Respondent to federal criminal penalties. A Protective Order is enforceable in all fifty states, the District of Columbia, tribal lands, and U.S. territories.

The information on this page is **NOT** to be interpreted as legal advice. For more information visit the following:

- See Protective Order: Texas Family Code, chapters 82 through 85.
- Office of the Attorney General of Texas:
<https://www.texasattorneygeneral.gov/cvs/protective-orders>

Which to Choose?	Protective Order	Temporary Restraining Order	Peace Bond
What is the situation?	You have been harmed by a family member or someone you dated, and you fear the abuser will harm you again.	You already have a lawsuit filed and you want the court to order the other party not to harm you or your property.	Someone has threatened to harm you or your property, and you believe she or he will carry out the threats.
What does it do?	Orders the abuser to stay away from you and your household, your home, your work and your school. May suspend the abuser's right to carry a gun.	Orders the other party in a lawsuit not to harm your property, or to threaten, harass, or harm you or your children.	Orders the person making threats to deposit money with the court, which will be lost if he or she commits the threatened crime.
Who can help?	Harris County District Attorney's Office (713) 755-5888	Your attorney can help you with TRO. If not, you can file for a TRO yourself.	You can hire an attorney to help you or do it yourself.
Where do I file the paperwork?	District Clerk's Office	File in the office where you filed your lawsuit.	Justice of the Peace Court in the precinct where you live.
How long does it last?	Up to 2 years.	Until your lawsuit ends.	Up to one year.

There are 3 main types of Protective Orders Type	How Long Does it Last	Who issues the Protective Order	How is it enforced?
Protective Order	2 Years	A district or county court judge.	By arrest when violated Some provisions may be enforced by civil contempt law suit
Temporary Ex-Parte Protective Order (TXPO)	Up to 14 days	A district or county court judge. The Protective Order may be granted when an application for a protective order is filed, and the court believes you are in danger.	A civil contempt law suit. May include a "kick out" Order that orders the abuser to vacate the home, but only if the violence occurred within the last 30 days and the applicant and abuser lived together in the last 30 days.
Emergency Protective Order (EPO)	Up to 90 Days	Municipal Court after the abuser is arrested.	Arrest when violated.