

Restraining Orders (Issued in Court)

A restraining order is a legal document that dictates that certain individuals cannot make contact with one another. There are a number of reasons why this type of legal document may be requested, such as domestic violence or stalking. Texas has specific laws and requirements in place for requesting and utilizing this type of legal document.

According to Texas Rules of Civil Procedure 680, temporary restraining orders cannot be legally granted until notice has been given to the adverse party. The only alternative is if there are facts that show that injury, damage or loss may occur before the adverse party can be notified. If a temporary restraining order should need to be issued before the adverse party receives notification, then it must be filed with clear proof of necessity. The reasons for the temporary restraining order must be entered into the record in order for the TRO to be approved. Additionally, according to Texas Rules of Civil Procedure, a temporary injunction also cannot be issued until the adverse party has been notified.

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

- Restraining Order: Texas Rules of Civil Procedure, starting at 680

Type	How long does it last?	Who issues it?	How is it enforced?	Notice to Opposing Party?
Temporary Restraining Order	Up to 14 days	Associate or District Judge	A civil lawsuit called "Contempt of Court"	Notice is not required, but is preferred.
Temporary Injunction	Until the final order by court.	Associate or District Judge	A civil lawsuit called "Contempt of Court"	Notice of Hearing Required.
Permanent Injunction	Until further order by court.	Associate or District Judge	A civil lawsuit called "Contempt of Court"	Notice of Hearing Required.

How long will it last?	Who issues a peace bond?	How is it enforced?	Do you need to give the other person notice?
Up to 1 year	Justices of the Peace	Loss of bond money. Possible arrest for criminal action.	Yes, it is required. Ask the clerk in the Justice of the Peace office how to give legal notice.