



Frequently Asked Questions in the 280th Protective Order Court **

What is the difference between non-suit, vacate, and dissolve?

Non-Suit	Motion to Vacate	Dissolve
When the applicant files a notice with the court and the other parties (respondent) that they no longer wish to pursue the case. <i>(There has not been a hearing or ruling yet)</i>	To set aside or annul a previous judgment or order. Any individual affected by a temporary ex parte order may file a motion at any time to vacate the order.	A motion to dissolve would eliminate the order and do away with any legal significance that it may have. <i>(This would be AFTER a protective order is granted)</i>

What is a “motion to modify”?

- A motion is a request for the Judge to make a legal ruling. A motion to modify is a request for the Judge to modify (change) an existing court order.

What’s the difference between a protective order and restraining order?

Protective Order	Temporary Restraining Order
<ul style="list-style-type: none"> • Used to prevent further violence or stalking or harassment. • For victims of family violence, sexual assault, stalking, indecent assault or, human trafficking. • Can be issued for 2 or more years (depending on the facts of the case). • Has criminal consequences if violated, after 3 violations, violations can be a charged as a felony. 	<ul style="list-style-type: none"> • For civil and family court cases. • In civil cases, it typically does not exceed 14 days. • In civil cases, TROs are issued when <i>“irreparable injury, loss, or damage will occur.”</i> • In family cases, TROs are issued for <i>“the preservation of the property and for the protection of the parties as necessary.”</i> • Does NOT have criminal consequences for violations.

Where can I find a process server??

- Your local constable precinct (i.e., precinct 4, precinct 8, etc.). On the precinct website there is a section for a “civil process” division that provides that service. You’ll find the phone number for that division, so that you can contact them. The fee is typically around \$75 for service.
- Substituted service by court order: If attempts to serve the respondent in person or by certified mail have failed, you may ask the judge for permission to serve the respondent in another way. *(Rule 106)*

Process Servers (other than Constables):

- **AAA Process Servers:**
 - Address: 1001 Texas Ave, Houston, TX 77002
 - Phone: (832) 859-7135
- **South Texas Legal Service:**
 - Phone: 713-539-3245
- **Thomas Court Services:**
 - Website: <https://thomascourtservices.com/>
 - Email: bt@thomascourtservices.com
 - Phone: 1-888-629-2996



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- **Harris County Process Servers:**
 - Website: <https://processserverharriscounty.com/>
 - Email: houstonprocess@gmail.com
 - Phone: 409-234-2161
- **Easy-Serve, LLC:**
 - Website: <https://www.easy-serve.com/AboutUs.aspx>
 - Phone: 713-655-7239
- **Baker Legal Support Services:**
 - Website: http://www.bakerservices.org/process_service.html
 - Phone: 281-827-1735

What is a Rule 106, and what do I need in order to get one?

- Rule 106 involves the ways in which you can serve someone (in person, certified mail). **If personal service is not practical***, the court may authorize other methods such as leaving a copy with someone over sixteen at the location listed on the petition, or by other means—social media, email etc.).
 - *Please note that this can be used only **AFTER 3 attempts** to serve the respondent at their home or work address. Submit an affidavit of attempted service to the courts. (Ask your chosen process server for information on how to do so.)

Am I able to get a protective order for my child with a custody case pending?

- Yes, as long as you're able to prove that family violence has occurred. ***Please know that matters regarding the pending custody case CANNOT be decided on in this court.***

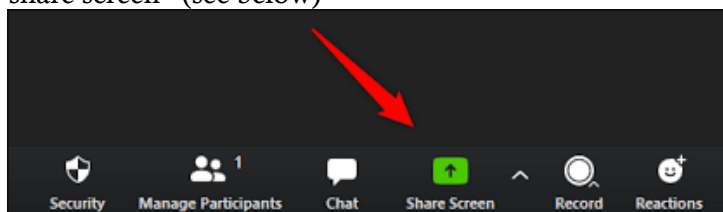
What is a Title 5 and 6 in the Texas Penal Code?

- Title 5 in Texas Penal Code is for “Offenses Against the Person.” Such as: criminal homicide, kidnapping or unlawful restraint, human trafficking, sexual and physical assaults.
- Title 6 in Texas Penal Code is in regard to “culpability” or responsibility for fault or wrong. A person must “intentionally, knowingly, recklessly, or with criminal negligence engages” in the offense.

How do I present my pictures and videos during my hearing?

You will present video and photos (if you don't have a hard copy) through Zoom. Instructions to do so are as follows:

1. Go to: <https://zoom.us/join>
2. Enter the Zoom Meeting ID: 827 828 1236 (no password is required)
3. The host will let you into ZOOM.
4. Please put yourself on mute upon entering.
5. You will then click on “share screen” (see below)



6. There will be an option to connect your audio and video.
 - a. You can join WITH or WITHOUT video.
 - b. Be sure to click on “share sound.”

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****For informational purposes only, NOT meant to be used as legal advice.**



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When will I receive my protective order once it is granted?

- If you do not receive it the same day as your hearing, expect to receive it via mail in approximately 10 days. If you do not receive it after that timeframe, feel free to contact the attorney/agency that represented you. If you're pro se, you can contact the court via phone [\(713-274-4680\)](tel:713-274-4680) or email [\(280Late@justex.net\)](mailto:280Late@justex.net)

How can I use the protective order to protect myself?

- Report violations to the police. Ask if they will pursue charges or investigate it. If you have evidence of the violation, please give it to the police when you file the report.
 - Make sure that it's a separate report and not a supplement to an existing report.
- Have a copy of the protective order with you at all times (a physical or electronic copy). So, you can present it to the police when filing a report. Be sure that all copies include the court seal on the back.
- Give a copy to individuals at the protected locations listed on the protective order (school, work, leasing office at apartment complex, or landlord.) Inform people at these locations about what to do if they see the Respondent at that location.
- If you need to break your lease because of the domestic violence, you'll need to provide a written *(you're encouraged to send it via email—with read receipts, or certified mail)* 30-day notice to vacate to your landlord/property manager. You can include a copy of the protective order. *(Texas Council on Family Violence has a template you can use).*

Where is the protective order valid?

- Anywhere in the United States. You are encouraged to have a physical or electronic copy with you at all times while it is in effect. If you move to another county or state, please update your address with the court.

Can I move to an address not listed in the protective order?

- Yes, please contact the attorney/agency that represented you in protective order court. A change of address form needs to be completed, and submitted to the courts.
- You can also file a "notification of change of address" form with the 280th court directly in person or through e-file, court fees apply.
- If this address is confidential, please mark it as such on the form.

Can I renew the protective order?

- Yes, you can renew if there's been at least one violation by the Respondent while it was in effect (that's why reporting violations to the police is important). Contact a legal services provider or private family law attorney approximately 6-8 weeks before your protective order expires to start the renewal process.
 - This is why reporting violations is important.