



HUNT COUNTY ATTORNEY'S OFFICE PROTECTIVE ORDERS

A protective order is a civil court order that tells the person you are complaining against not to commit any further acts of violence against you. The Hunt County Attorney's Office does not grant or issue protective orders. Only a judge can grant or issue a protective order.



Applicant

The victim of family or dating violence, who is requesting a protective order



Respondent

The person who committed family or dating violence & will be restricted by the protective order.

Before a judge will grant or issue a protective order, the Applicant must show that family violence or dating violence has occurred. Family violence includes dating violence and is defined as an act intended to result in physical harm, bodily injury, assault, or sexual assault. When you go to court, an Applicant must be able to show that the Respondent has recently committed one or more act of physical violence against you or made threats to physically harm you.

WHO CAN APPLY FOR A PROTECTIVE ORDER?

Requirements

A Protective Order Applicant must show that the Applicant and Respondent are any one of the following: (1) related by blood; (2) related by marriage; (3) previously married and now have a finalized divorce; (4) currently or previously lived together; (5) have had a child together; *or* (6) are connected by a current or former dating relationship.

Either the Applicant or Respondent must be a resident of Hunt County.

Limitations

If you are married to the Respondent and currently going through a divorce, you should talk to your divorce attorney about getting a protective order as part of your divorce. This office DOES NOT get involved with custody **or** visitation **or** child support matters **or** property disputes. If custody or property issues are important to you, you may want to consult a private attorney who can help you get custody of your children and possession of property in addition to obtaining a protective order.

An application for a protective order is not a criminal charge. Criminal acts must be reported to a law enforcement agency in order to be prosecuted.

What If I Do Not Qualify?

If the above criteria are not fully met, a victim may also file a Pro Se Protective Order by downloading the protective order kit available on the Texas Attorney General's Website and following the directions. Click [here](#) for more information about Pro Se Protective Orders.

Alternatively, a victim may also seek a *Restraining Order* through his or her own private attorney. A Restraining Order is used in civil suits to avoid immediate and irreparable injury, loss, or damage. Violation of a Restraining Order will result in civil contempt of court proceedings. Violation of a Protective Order is a criminal and arrestable offense.

HOW TO APPLY FOR & OBTAIN A PROTECTIVE ORDER

[To apply for a protective order, contact:](#)

Women In Need, Inc.
Greenville Office: 903-455-4612
Greenville Fax: 903-455-7760
<https://www.wintexas.org/contact/>

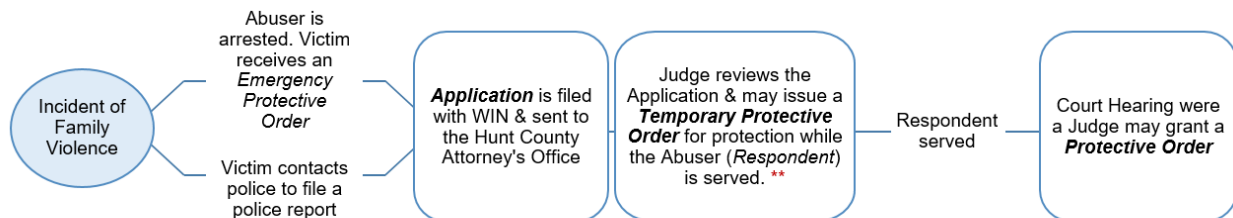
[Application Process](#)

The applicant will be required to make at least one appointment in the office of Women In Need (WIN) – Greenville to complete the application and at least one court appearance. You must be willing to make a time commitment and testify in court.

Before filing an application for protective order, you must file a police report about the incident of family violence that prompted you to seek a protective order. To file a police report, contact 911 in an emergency, or your local police department in a non-emergency. A police report is *not required* if you have recently been issued an emergency protective order.

To apply, complete the Intake Application during your appointment in the office of Women In Need (WIN.) Please provide WIN any photos of injuries sustained from the incident of family violence, or documented proof of threats made against you such as text messages or voice mails. You must also provide an address where the person can be found during the day. To get a protective order, that person must receive personal notification of your application for a protective order.

[Court Orders and Hearings](#)



**If you are seeking a kick out order you must be present in court when the application is reviewed by the Judge

If the application is accepted by the Hunt County Attorney's Office, we will typically seek and obtain a temporary order from a judge. This temporary order lasts for up to 14 days and may be granted by the judge without a hearing. However, if you are seeking a kick-out order, you must be present in Court when the temporary order is signed by the judge. The temporary order is enforced just like a Protective Order and will provide protection for the Applicant until a Final Protective Order is obtained in a court hearing.

A Final Protective Order requires a hearing by law. The Respondent will be at this hearing. The Hunt County Attorney's Investigators (certified peace officers) will also be present in court and available to walk Applicants to and from the courthouse. At the hearing, the Respondent can choose to represent himself or hire an attorney. The Court will hear testimony from the Applicant and other witnesses. The Applicant and other witnesses may be subject to cross-examination from the Respondent or the Respondent's attorney. The Respondent may also testify.

If the judge decides to grant a Protective Order, with a duration of up to 2 years, that may prohibit the Respondent from:

1. Committing any acts of violence against you
2. Communicating directly or indirectly with you in a threatening or harassing manner
3. Going near your home or place of employment
4. Going near your children's home or school
5. Possessing a firearm