

CODE OF CRIMINAL PROCEDURE CHAPTER 7A PROTECTIVE ORDERS

- I. WHAT IS A CHAPTER 7A PROTECTIVE ORDER:
A protective order issued for the protection of a victim of a limited set of Texas Penal Code Violation.

- II. TEXAS PENAL CODE VIOLATIONS:
 - A. 21.02 - CONTINUOUS SEXUAL ABUSE OF YOUNG CHILD OR CHILDREN
 - B. 21.11 - INDECENCY WITH A CHILD
 - C. 22.011 SEXUAL ASSAULT.
 - D. 22.021 AGGRAVATED SEXUAL ASSAULT
 - E. 42.072 – STALKING (42.07 – HARRASMENT)
 - F. 20A.02. TRAFFICKING OF PERSONS.
 - G. 20A.03. CONTINUOUS TRAFFICKING OF PERSONS.
 - H. 43.05. COMPELLING PROSTITUTION.

- III. WHO CAN FILE: * SECTION 7A.01. – NO RELEATIONSHIP NECESSARY
 - A. A person who is a victim of Texas Penal Code Violations set out in "II" above.
 - B. A parent or guardian of a person younger than 17 years old who is a victim of Texas Penal Code violations set out in "II (A-E)" above.
 - C. A parent or guardian of a person younger than 18 years old who is a victim of Texas Penal Code violations set out in "II (F-G)" above.
 - D. A prosecuting attorney acting on behalf of a victim of Texas Penal Code violations set out in "II" above.

- IV. WHERE DO YOU FILE A CODE OF CRIMINAL PROCEDURE APPLICATION FOR A PROTECTIVE ORDER
 - A. COUNTY:
 1. The county in which the applicant resides.
 2. The county in which the alleged offender resides.
 3. Any county in which an element of the alleged offense occurred.
 - B. COURT:
 1. District Court
 2. Juvenile Court having jurisdiction of a district court
 3. Statutory County Court
 4. Constitutional County Court
 5. In Harris County, Texas – 280th District Court

- V. WHAT DO YOU HAVE TO PROVE TO GET A CRIMINAL CODE PROTECTIVE ORDER:
Required Finding – "There are reasonable grounds to believe that the applicant is the victim of sexual assault or abuse, stalking, or trafficking. (7A.03)

- VI. HOW LONG IS A CRIMINAL CODE PROTECTIVE ORDER:
 - A. Life of the Offender
 - B. Life of Victim
 - C. Any Shorter Period
 - D. If no period stated, then 2 years

- VII. WHAT MUST BE INCLUDED IN THE PROTECTIVE ORDER:
 - A. Required Finding (V above)
 - B. At least one act that Respondent is prohibited from doing
 - C. Suspension of concealed hand-gun license
 - D. Prohibition against Respondent possession firearms
 - E. Statutory WARNINGS Section
 - F. Attorney fees and Cost (unless Judge finds Respondent indigent)