

Thanks for your interest in SALSA's Protective Order Program! This is an overview of the process each participant will go through as they assist survivors of domestic or intimate partner violence with obtaining a protective order. Please email Hilary Showers at hilarys@sa-lsa.org if you have any additional questions!

Basics of Volunteer Experience: What We'll Ask of You:

- Be empathetic and caring toward survivors of domestic violence, sexual assault, and stalking.
- Be open to working with non-attorney volunteer team throughout the case.
- Create a Waiver E-filing Account so you can e-file documents.
- Review template documents.
- Make limited court appearances.
- Prepare for and represent client in final protective order hearing no later than 14 days after filing the Application for a Protective Order.
 - Filing attorney has discretion when to file the application and schedule the final hearing.
- Be ready to make an additional appearance in case the final hearing is reset due to lack of service on Respondent.
- Donate an average of 10 hours over the span of about 6-8 weeks.

Basics of Volunteer Experience: Life of a Case:

1. Case is paired with advocate & law student volunteers.
2. Advocate & law student volunteer conduct initial interview.
3. Case is paired with volunteer attorney.
4. SALSA sends case-specific information to volunteer attorney & introduction e-mail to attorney, advocate, and law student (volunteer team).
5. Attorney meets with advocate & law student to discuss initial interview and case details.
6. Attorney and client (and advocate & law student) have initial meeting to discuss next steps of case (*including that client should not talk to Respondent at all if there is a protective order, even a temporary one)
7. Law student drafts documents; attorney reviews documents.
8. Attorney reviews documents with client and explains court process (*inform client that they need to be on standby while the attorney is in Presiding Court in case Judge wants to ask client questions).
9. Attorney e-files Application w/ court (keeping in mind the final hearing must be set no later than 14 days later).
10. Once the application has been assigned a cause number, attorney approaches Presiding Court (*recommend going in the afternoon) to get signature on Temporary Ex Parte Protective Order (may not be required in all cases depending on Respondent's incarceration status).
11. Attorney **e-files** Request for Process form and, if applicable, **e-mails** Texas Crime Information Center form to Records Department (only required if obtaining Temporary Ex Parte Protective Order).
12. Attorney schedules meeting with client (and advocate & law student) to prep for the final hearing.

13. Attorney and client (and advocate & law student) attend final hearing.
14. Attorney meets with client (and advocate & law student) to discuss hearing, who to give copies of the Final Protective Order to, etc..
15. Attorney e-mails rec-index11@bexar.org to request a copy of the Final/Default Protective Order (need to include the date the order was entered; may have to wait until the next day [can always check online records first]).
16. Attorney e-files Request for Process form if need to serve Respondent with the Final Protective Order.
17. Attorney completes SALSA case closure form at www.sa-lsa.org/status-reports.

Basics of Volunteer Experience: Time Commitment (by stage of process)

MEETINGS:

- Initial meeting w/ Volunteer Team – 30 minutes
- Initial meeting w/ Client (& Volunteer Team) – 1 to 2 hours depending on what additional information you need and how many questions the client has
- Court (to obtain Temporary Ex Parte Protective Order) – 5 to 30 minutes depending on the Judge in Presiding if you approach in the afternoon (recommended for expediency)
- Hearing prep w/ Client (& Volunteer Team) – 1 hour (to go over testimony questions)
- Hearing for reset if Respondent not yet served – 30 minutes (not including waiting in Presiding)
- Final Hearing – 15 minutes (Default Hearing) or up to 2 hours (Respondent & Opposing Counsel appear); possibly an additional hour if you have additional parties as witnesses.
- Meeting after Final Hearing w/ Client – 1 hour (explain protective order, who to give copies of the protective order to, answer any questions, etc.)

DRAFTING:

<u>Activity</u>	<u>Experienced Time (Estimated)</u>	<u>Inexperienced Time (Estimated)</u>
E-Filing Waiver Account	15 minutes	30 minutes
Application	30 minutes	1 hour
Affidavit/Declaration	1 hour	1.5 hours
Temporary Ex Parte Protective Order	30 minutes	1 hour
Schedule A	5 minutes	10 minutes
Order Extending Temporary Ex Parte Protective Order	30 minutes	1 hour
Request for Process	15 minutes	20 minutes
Final Protective Order	30 minutes	1 hour
TOTAL:	3-4 hours	6-8 hours

Basics of Volunteer Experience: Protective Order Process Timing:

A Final Hearing must be set no later than 14 days from the date of the Application for a Protective Order.

If we are unable to serve Respondent before the Final Hearing, the case may need to be reset no more than an additional 14 days.

If Respondent receives service of notice of an Application for a Protective Order within 48 hours before the hearing date/time, and Respondent requests a reset, the Court *must* reschedule the hearing for a date not later than 14 days after the original hearing date.

If the return of service has not been on file for 10 days prior to the Final Hearing, and Respondent does not appear, the volunteer needs to reset the Final Hearing so that the return of service has been on file for 10 days so that you can get a Default Final Protective Order. In this situation, the volunteer needs to allow additional time for the Default Final Protective Order to be served on Respondent.

Depending on how long it takes to draft everything, meet with the volunteer team/client, and serve Respondent, the best-case scenario would be that a case could be as short as 4 weeks for a volunteer attorney. Realistically, a case will be more like 6 to 8 weeks.