

**Thanks for your interest in TRLA and 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 e-mail SALSA's Pro Bono Coordinator, Alison McConnon, at [alisonm@sa-lsa.org](mailto:alisonm@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.
- Create a Waiver E-filing Account so you can e-file documents.
- Update template documents.
- Make limited court appearances.
- Prepare for and represent client in final protective order hearing no later than 20 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 12 hours over the span of about 6-8 weeks.

**Basics of Volunteer Experience: Life of a Case:**

1. Volunteer attorney signs up to volunteer on SALSA's website.
2. TRLA pairs case with volunteer attorney.
3. TRLA sends case-specific information to volunteer attorney.
4. Attorney and client 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)
5. Attorney updates template documents with specifics of the case.
6. 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).
7. Attorney e-files Application w/ court (keeping in mind the final hearing must be set no later than 20 days later).
8. 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).
  - a. Attorney will need to submit Schedule A and the Texas Crime Information Center (TCIC) form to Presiding with the file-stamped Application and the proposed Temporary Ex Parte Protective Order.
  - b. Once the Temporary Ex Parte Protective Order is signed by the Judge, the attorney can e-mail [rec-index11@bexar.org](mailto:rec-index11@bexar.org) to request a copy of it (need to include the cause number, court number, date the order was entered; may have to wait until the next day [can always check online records first]). This is generally taking 3 to 5 days to process. [You can also e-file a letter requesting a copy of the order and indicate on the e-file submission the request needs to be directed to the Records department.]
9. Attorney e-files Request for Process form.

10. Attorney schedules meeting with client to prep for the final hearing (template testimony questions are provided but will need to be tailored to each specific case).
11. Attorney and client attend final hearing.
12. Attorney meets with client to discuss hearing, who to give copies of the Final Protective Order to, etc..
13. Attorney can e-mail [rec-index11@bexar.org](mailto: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]). This is generally taking 3 to 5 days to process. [You can also e-file a letter requesting a copy of the order and indicate on the e-file submission the request needs to be directed to the Records department.]
14. Attorney e-files Request for Process form if need to serve Respondent with the Final Protective Order.
15. Attorney completes SALSA case closure form at [www.sa-lsa.org/status-reports](http://www.sa-lsa.org/status-reports).

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

**MEETINGS:**

- Initial meeting w/ Client – 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 – 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 (not including waiting in Presiding).
- Meeting after Final Hearing w/ Client – up to 1 hour (explain protective order, who to give copies of the protective order to, answer any questions, etc.)

**DRAFTING:**

<b><u>Activity</u></b>	<b><u>Experienced Time (Estimated)</u></b>	<b><u>Inexperienced Time (Estimated)</u></b>
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
Testimony Questions	15 minutes	20 minutes
Final Protective Order	30 minutes	1 hour
<b>TOTAL:</b>	<b>3-4 hours</b>	<b>6-8 hours</b>

**Basics of Volunteer Experience: Protective Order Process Timing:**

A Final Hearing must be set no later than 20 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 20 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 20 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.