Protective Order Registry

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OCA Protective Order Registry

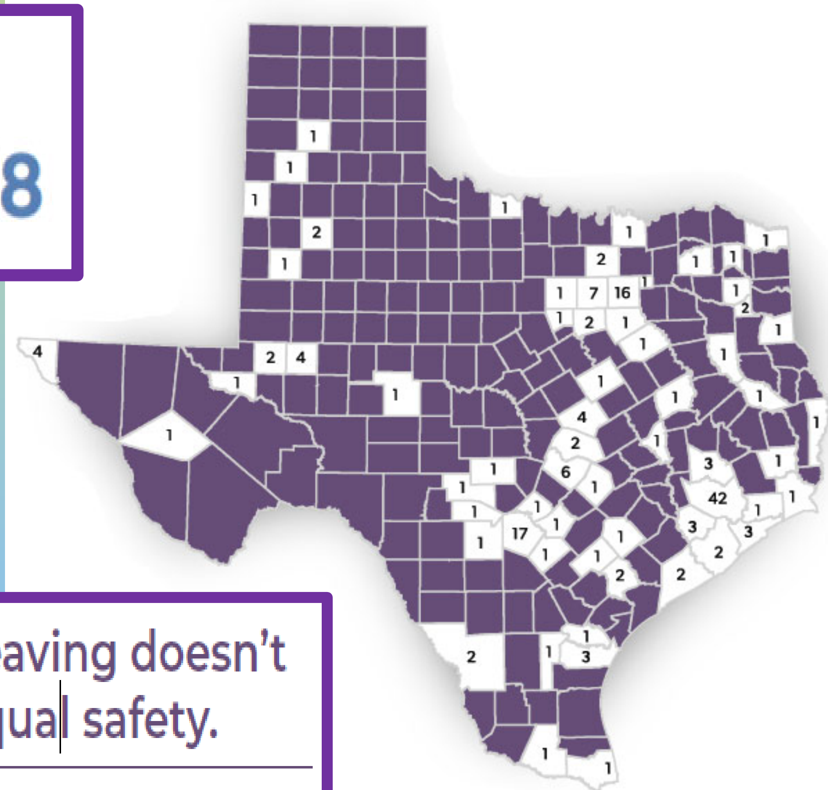
Senate Bill 325

Monica Deming
Odessa, TX
2015

Honoring Texas Victims

211 Texans killed by intimate partners in 2018

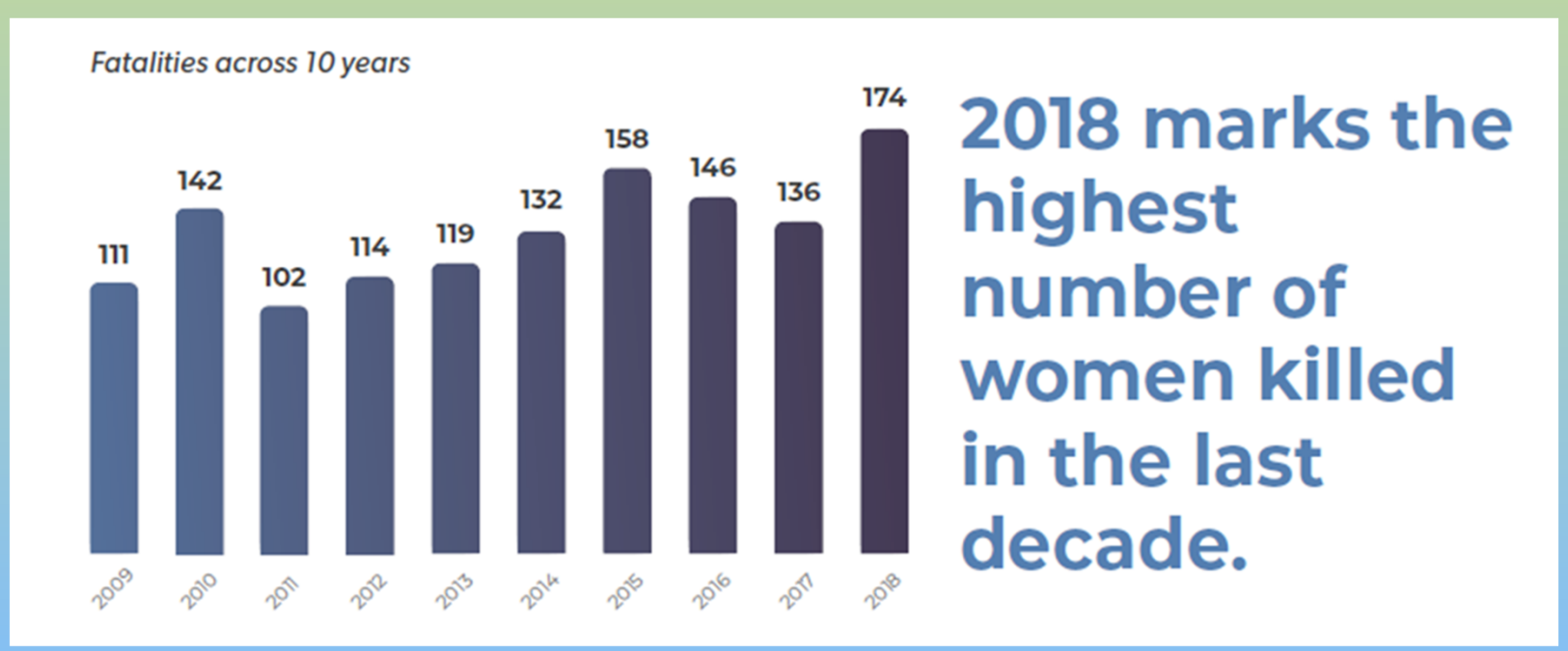
In Texas in 2018, 174 women were killed by their male intimate partners, 32 men were killed by their female partners, and one woman and four men were killed by same-sex partners.



290
children lost parents

Leaving doesn't equal safety.

1 in 3
victims had ended their relationship

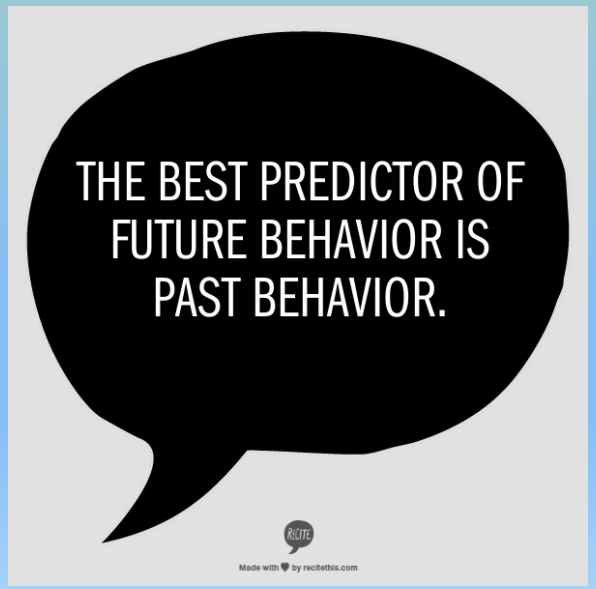


https://tcfv.org/honoring-texas-victims/

2020: COVID 19 and DV, aka the Shadow Pandemic

- Example: Bexar County
  - 2018 – 17
  - 2019 – 21
  - 2020 (Jan thru Aug) - 32

Family violence is knowable, predictable and
PREVENTABLE
Go Purple | #TxDVAM
Texas Council on Family Violence


THE BEST PREDICTOR OF FUTURE BEHAVIOR IS PAST BEHAVIOR.
Made with by recitethis.com

Texas Court System: Decentralized at local level

- 254 Counties
- 2746 Trial Courts with 3115 Judges
- Protective Orders issued in FY 2019 – **26,684**
  - JP & Muni (Magistrates Orders of Emergency Protection) - 17,126
  - District & Statutory County - 9,400
  - Constitutional County – 158

PO Registry Launch – September 1, 2020

- Started with a few pilot counties
- Onboard other counties by October 15, 2020
- Before the end of 2020:
  - Train and grant access to Restricted Users (law enforcement/prosecutors) to search for orders and get imaged documents.
  - Disseminate training and awareness information to advocacy groups.
  - Update information in Supreme Court Protective Order Kit.
  - Public access for limited information regarding final orders only if requested by protected party.

Acronyms and Definitions

- **MOEP-** Magistrates Order of Emergency Protection
- **PO-** Protective Order
- **TExPO-** Temporary Ex Parte Order
- **Authorized User-** a person to whom the office has given permission and the means to submit records to or modify or remove records in the registry. In other words, court clerks and their designees.
- **Restricted User-** a person to whom the office has given permission to receive non-public information regarding protective order applications and orders, including imaged copies of those documents, listed in the statute as:
  - an **authorized user**, and designees of the attorney general, a district attorney, a criminal district attorney, a county attorney, a municipal attorney, or a peace officer.

Protective Order Registry: TGC §§ 72.151 -72.158

No later than **June, 2020,** OCA must:

- Establish PO registry that allows case management systems to interface, and provide restricted access to authorized users (police, prosecutors, etc.) to access PO info and images.
- Establish and supervise training program for all users
- Allow limited access by public and only if victim opts in.
- Court clerks will be entering the order into database.
- Information purposes ONLY- official records are still housed with the issuing courts

Coronavirus plus Ransomware attack = Delay

- Establishment of the PO Registry may be delayed to September 1 if authorized by resolution of the Texas Judicial Council.
- Clerks are now required to start entering protective orders and protective order applications on October 15, 2020.
- No public access until at least October 15, 2020.

Protective Order Registry: TGC § 72.152.

- Applications* for a protective order filed under:
  - Chapter 82, FC; or
  - Article 17.292, CCP, arrests for a FV offense;
- Protective orders* issued under:
  - TFC Chapter 83 (TexPO);
  - TFC Chapter 85 (PO); or
  - Article 17.292, (MOEP)

*This has been expanded to include all POs and MOEPs pursuant to the CCP, such as:

- sexual assault,
- stalking,
- trafficking,
- indecent assault, and
- bias/prejudice

Magistrate's Orders for Emergency Protection

- CCP 17.292
- Entered by clerks in JP courts and municipal courts that handle magistration duties

Application, TExPO, and Final PO

- TFC Chapter 82 - Applications for PO
- TFC Chapter 83 - Temporary Ex Parte Order
- TFC Chapter 85 - Protective Order
- Entered by county and district clerks, depending on type of court that issues POs

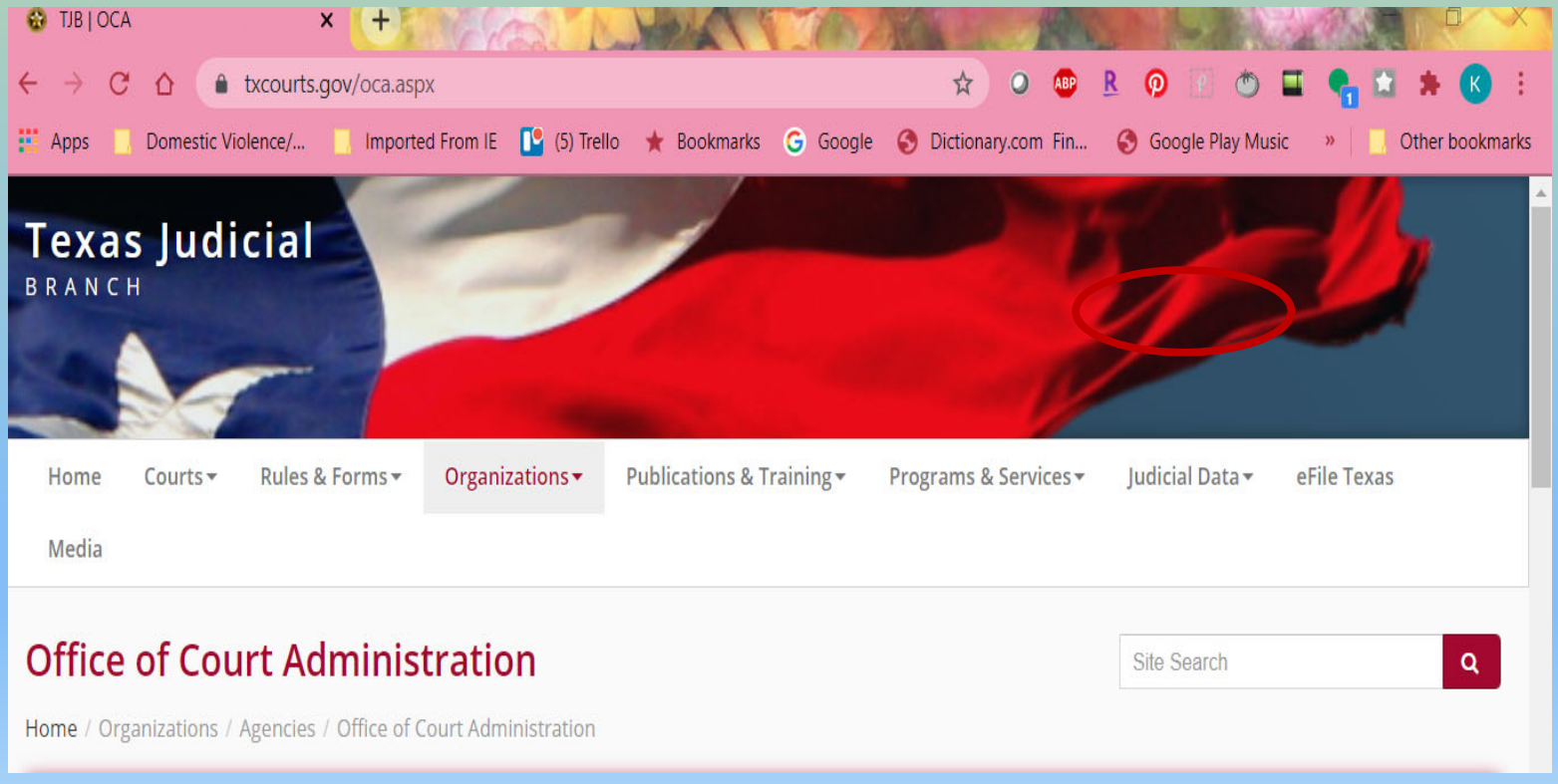
Sec. 72.154. Public Access to PO Registry

- Public can search for permanent POs only, by county of issuance, Respondent's name, and/or year of Respondent's birth.
- Publicly accessible information:
  - Issuing court;
  - Case number;
  - Respondent's information
    - full name,
    - county of residence,
    - birth year, and
    - race or ethnicity;
  - Date issued;
  - Date served;
  - Date the order was vacated, if applicable; and
  - Date of expiration

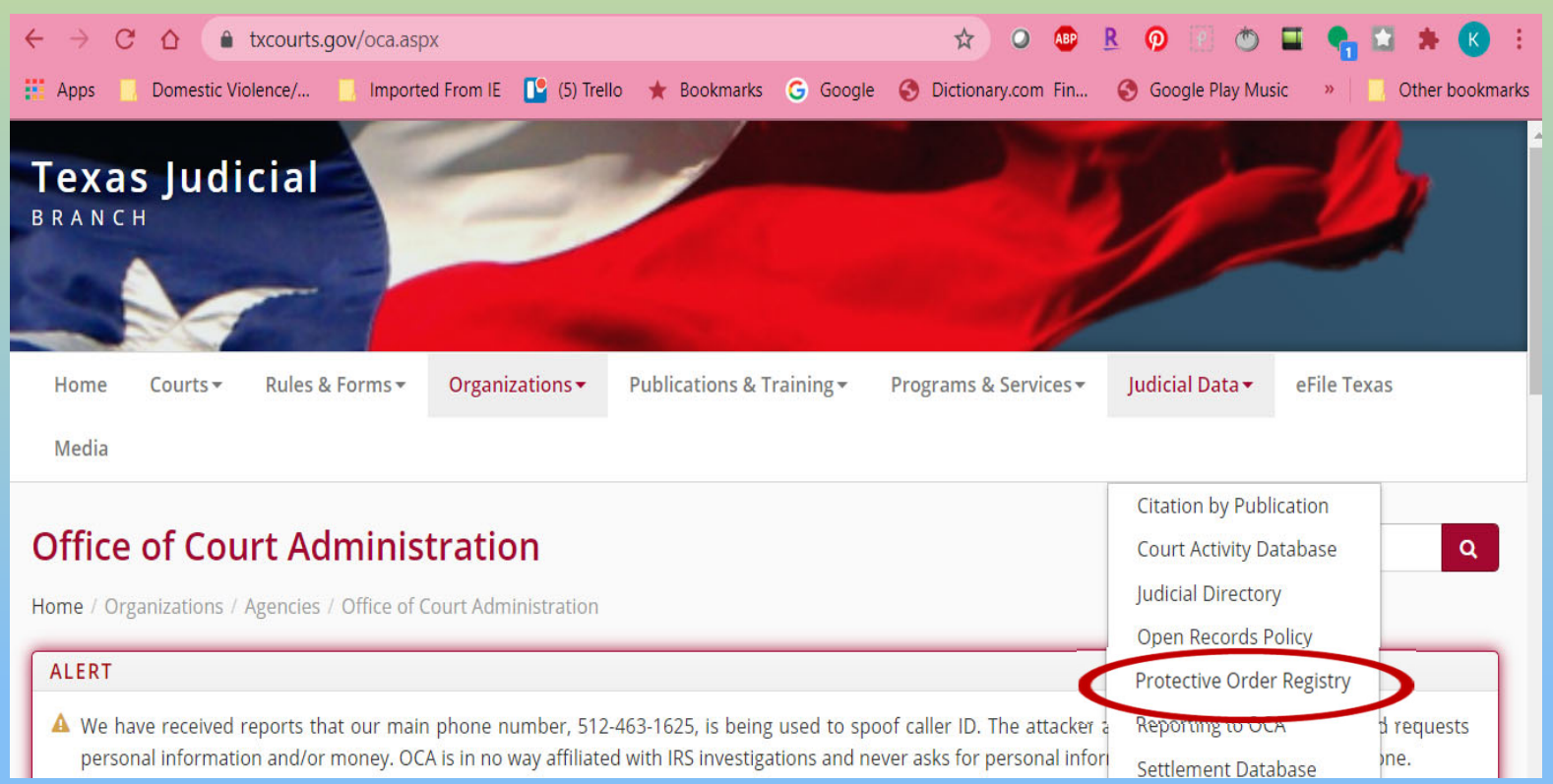
NOTE: No public access to images of applications or orders

NOTE: Preferred browser is Chrome

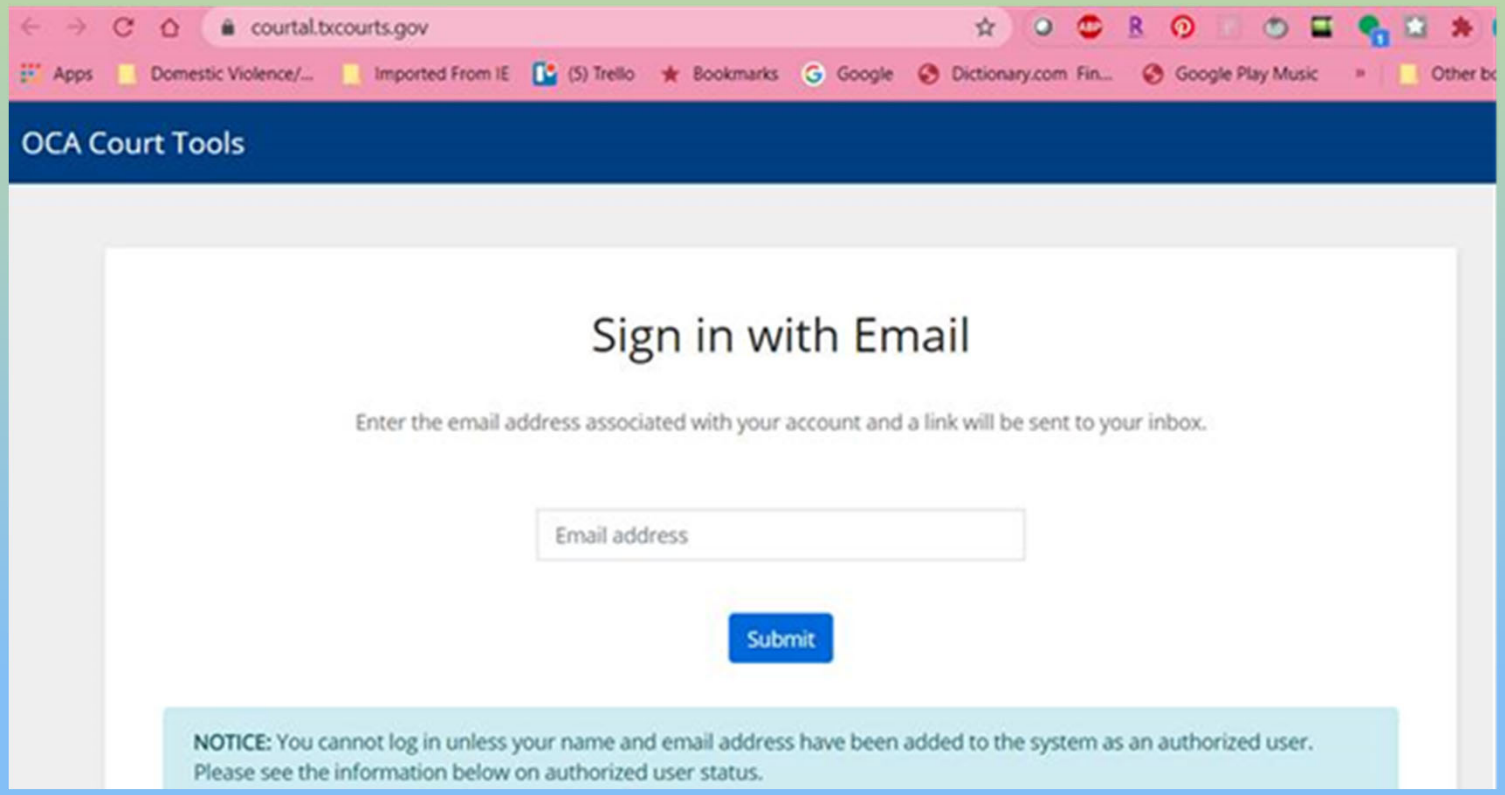
https://www.txcourts.gov/oca/ and choose Judicial Data



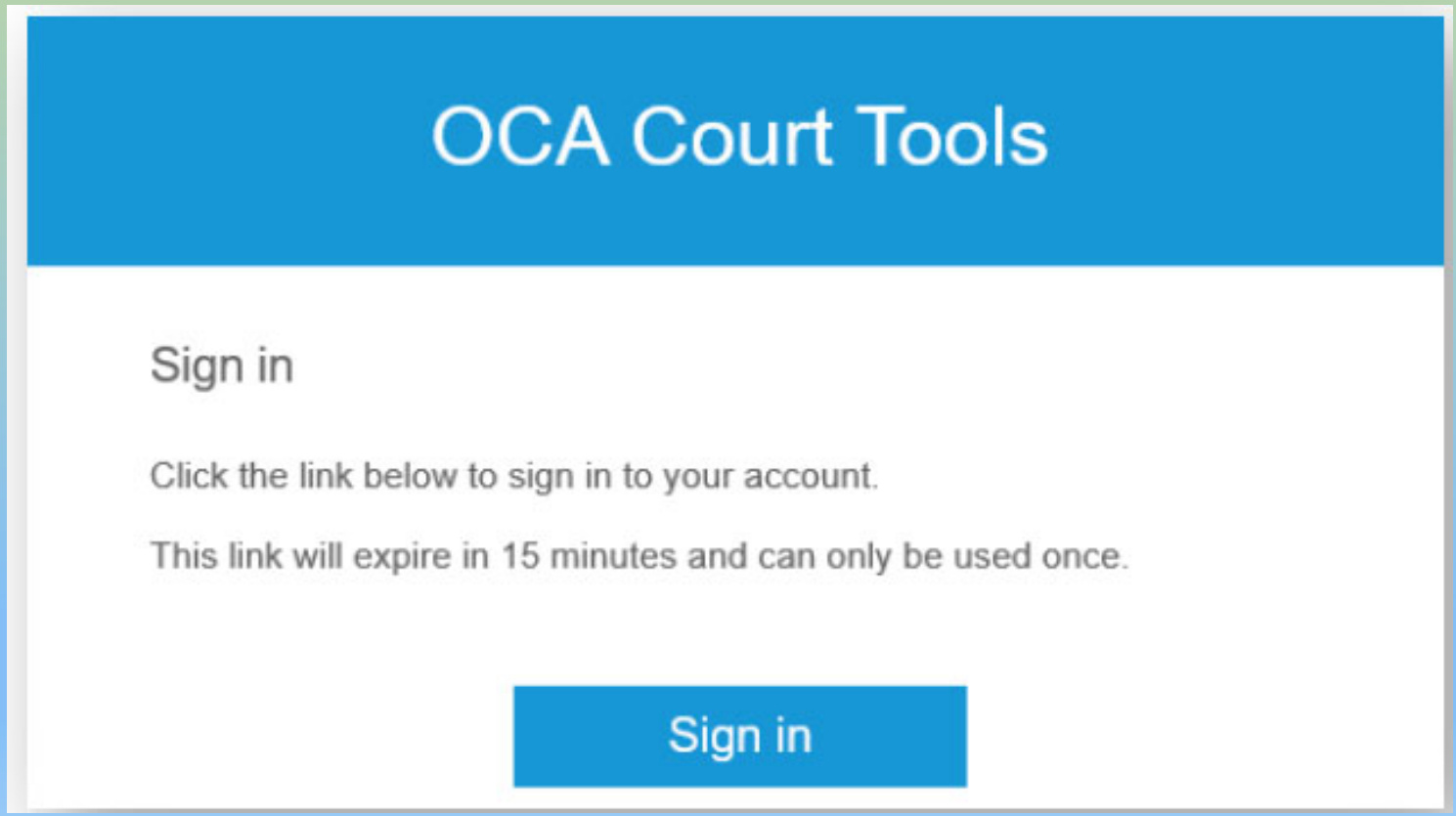
Choose Protective Order Registry from drop-down box

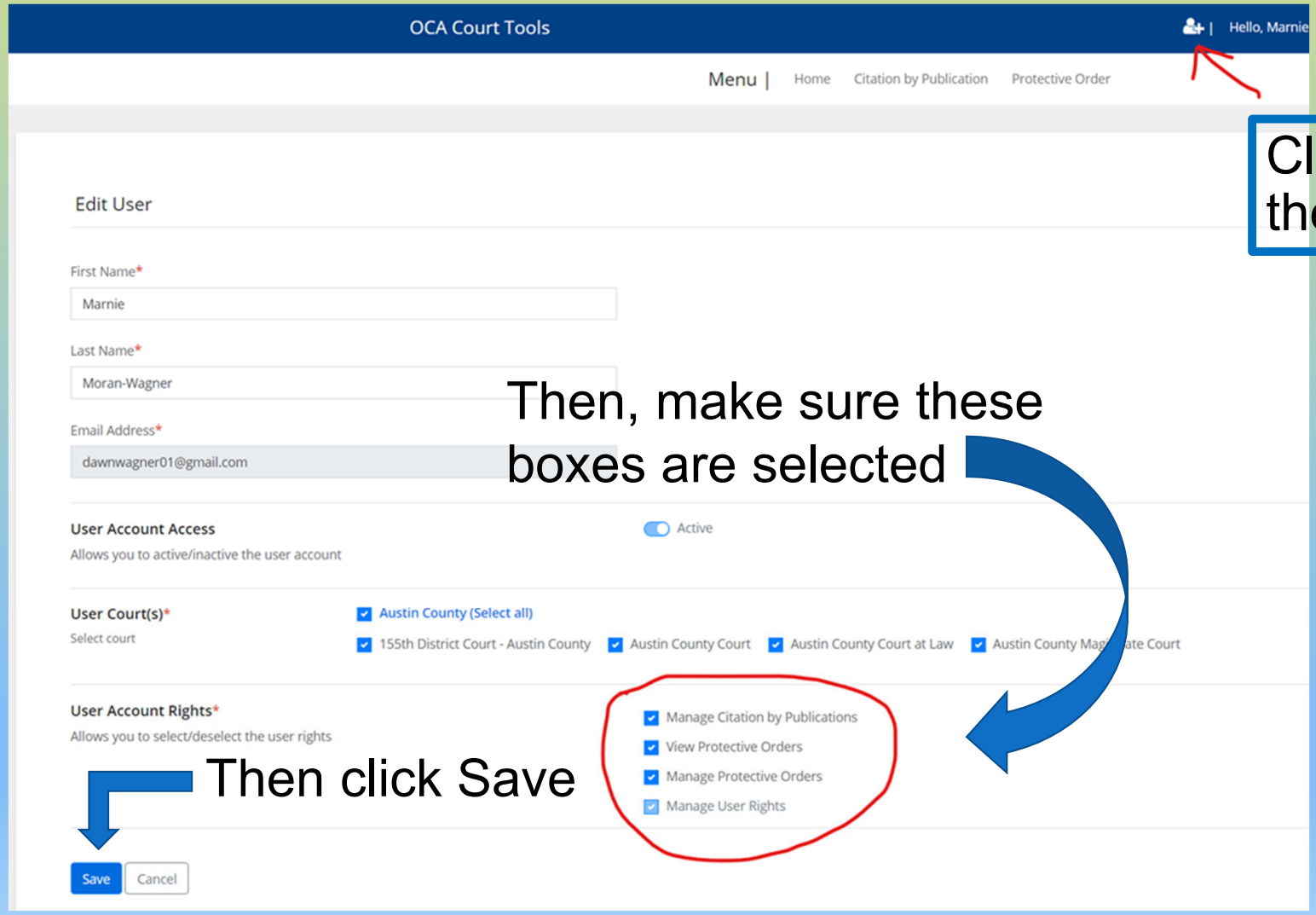


Enter your court user email address to sign in. You will receive an email at that address (similar to CBP process)



You will receive an email…
Push the Sign In button.





Click here, then…

Then, make sure these boxes are selected

Then click Save

Please watch the video tutorial at
https://www.youtube.com/watch?v=39joPEFNi1k

Important Differences between TCIC and the Protective Order Registry

TCIC

- Access:
  - Law enforcement only
- Limited information due to no image of the order
- Feeds into federal databases NCIC and NICS

Protective Order Registry

- Access:
  - Courts
  - Prosecution
  - Law enforcement
  - Public (extremely limited)
- Includes actual image of order
- Protective Order Registry will NOT replace the use of TCIC
  - A parallel process
  - Web-based

For More Information:

Be on the lookout for periodic updates and more training opportunities via email and the OCA website!

https://www.txcourts.gov/judicial-data/protective-order-registry/

For questions or assistance related to the Protective Order Registry please contact:

- Marilyn Galloway-Martin
  Marilyn.Galloway-Martin@txcourts.gov OR
- Kimberly Piechowiak
  Kim.Piechowiak@txcourts.gov

Also more family violence information…
https://www.txcourts.gov/publications-training/training-materials/webinars/all-webinars/court-services/domestic-violence/

Thank you!!!

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