

Protective Order Registry and Monica's Law

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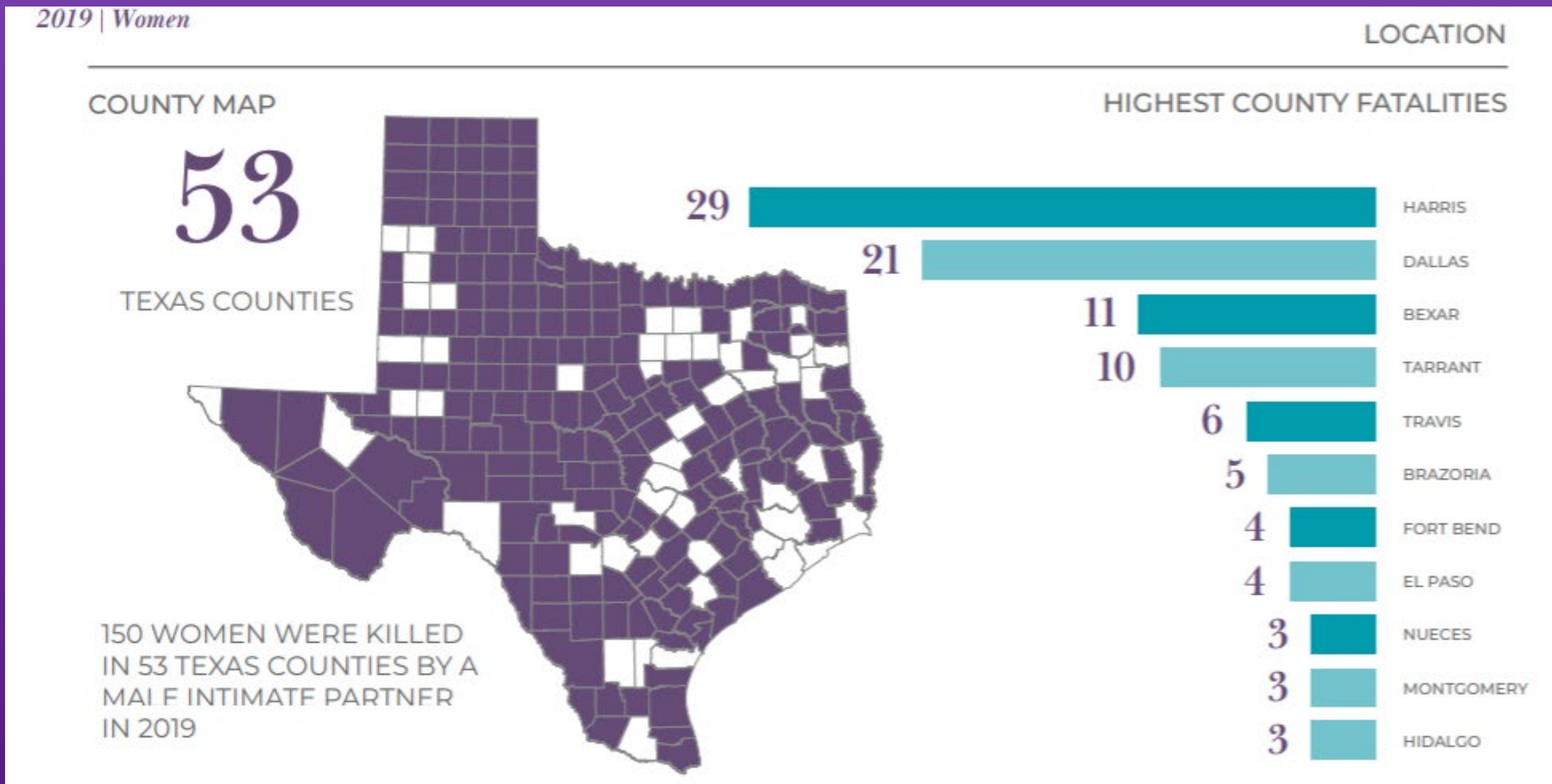


Monica Deming: Odessa, TX

November 29, 2015: Brandon Leyva, 38, shot and killed his ex-girlfriend Monica in her home. Leyva then shot himself. Emergency responders transported Leyva to the hospital, where he later died. Leyva had a history of violence against other women and had stalked Monica when she ended the relationship. She sought assistance from a family violence program and was in the process of filing for a protective order. Monica is survived by her son, age 8.



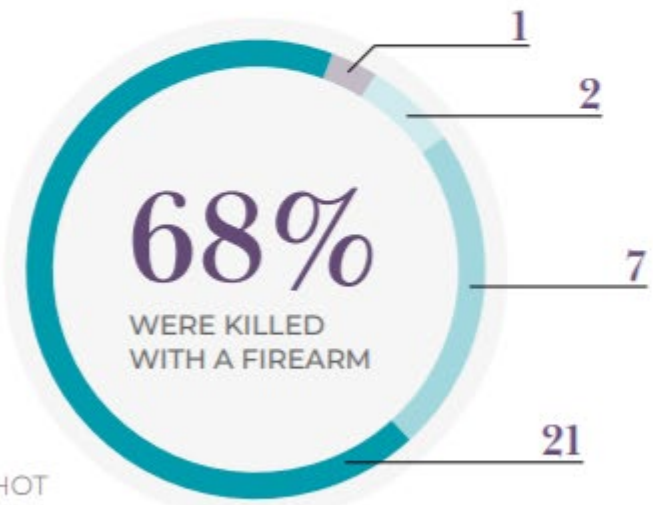
Honoring Texas Victims 2019- 150 women killed



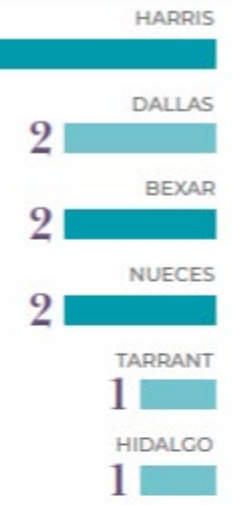
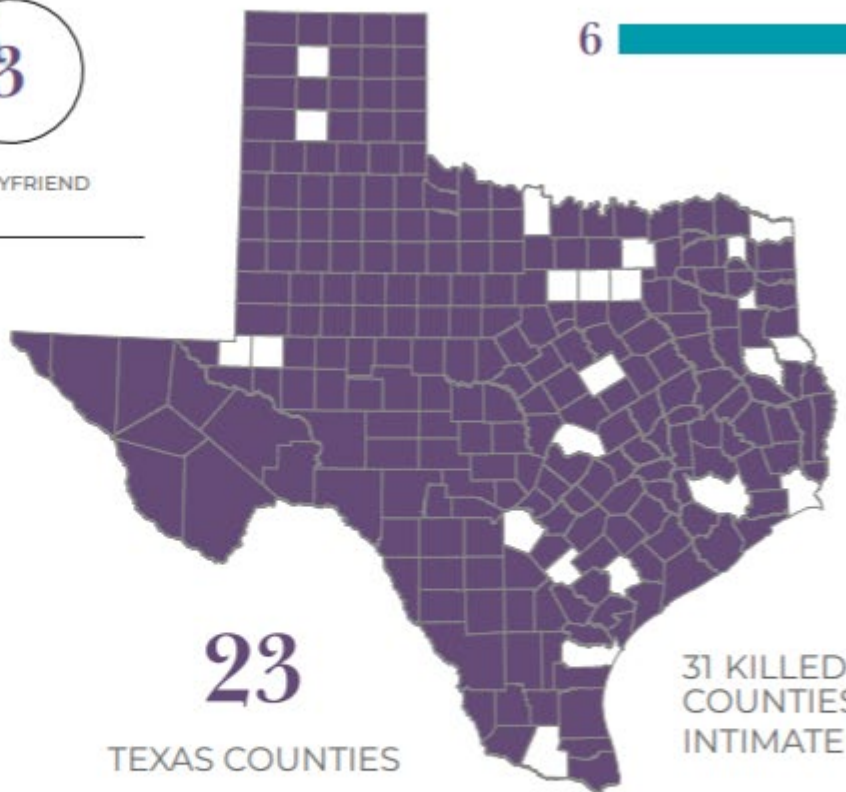
Men and LGBTQ partners



METHOD OF HOMICIDE



- SHOT
- STABBED
- PHYSICAL ASSAULT
- OTHER



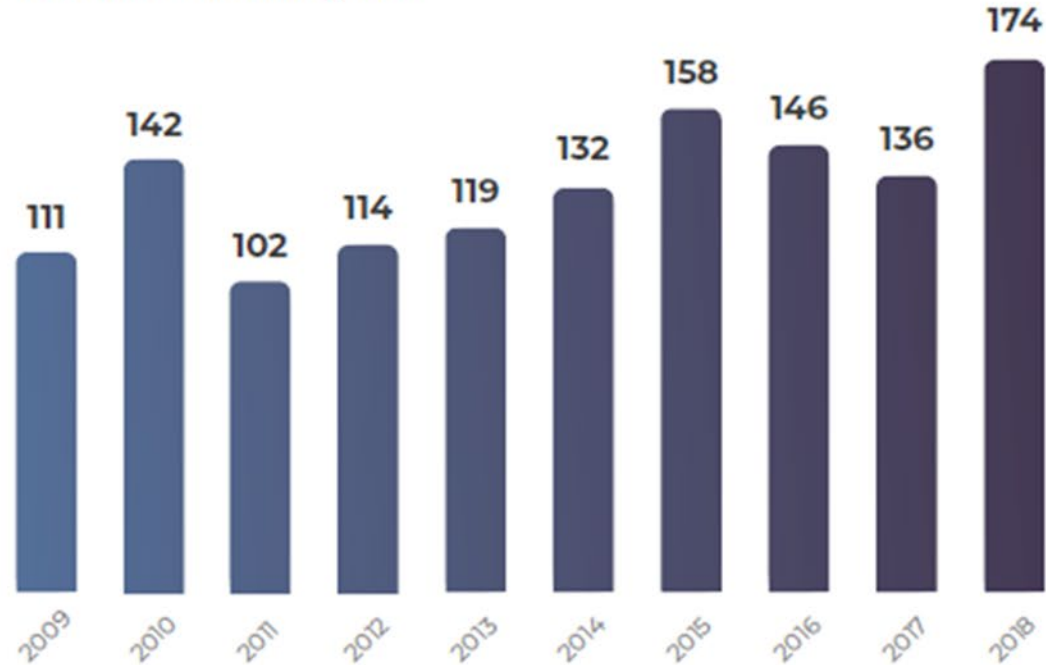
2019 | LGBTQ

2019 FATALITIES | KEY FACTS

1	3	1
WOMAN KILLED BY A SAME-SEX PARTNER	MEN KILLED BY A SAME-SEX PARTNER	PERPETRATOR KILLED HERSELF AS WELL

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

Fatalities across 10 years



2018 marks the highest number of women killed in the last decade.

<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

THE BEST PREDICTOR OF
FUTURE BEHAVIOR IS
PAST BEHAVIOR.



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Family violence is
knowable, predictable and
PREVENTABLE



Go Purple | #TxDVAM

Texas Council on Family Violence



Protective Order Registry: TGC §§ 72.151 -72.158

No later than **June 1, 2020**, OCA must:

- Allow case management systems to interface, and provide restricted access to certain users (police, prosecutors, etc.) to access PO info and images.
- Establish/supervise training program for all users (potentially 80,000 – 100,000 authorized and restricted users).
- Provide limited access to public when expressly allowed by protected party.
- Enable data entry by court clerks.

Information purposes **ONLY**- courts still house official court records.



Implementation Schedule

- **September 1, 2020:** Access and training for select pilot clerks/courts with onboarding of other clerks/courts on an ad hoc basis.
- **October 15, 2020:** Mandatory entry of all applications and protective orders begins.
- **Fall/Winter 2020/2021:**
 - Grant access and provide training on system use to Restricted Users (law enforcement/prosecutors).
 - Enable feature that permits public access to final orders that protected parties have expressly made public.
 - Public Access Consent form forwarded to OCA.
 - OCA affirmatively grants public access.
 - Conduct training and disseminate awareness information to advocacy groups.
 - Update information in Supreme Court Protective Order Kit.



Texas' Decentralized Court System

- 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



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.



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



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 Protective Orders
- TFC Chapter 83 - Temporary Ex Parte Order
- TFC Chapter 85 - Protective Order ≈ **10,000/year**
- 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:

NOTE: No public access to images of applications or orders

- 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

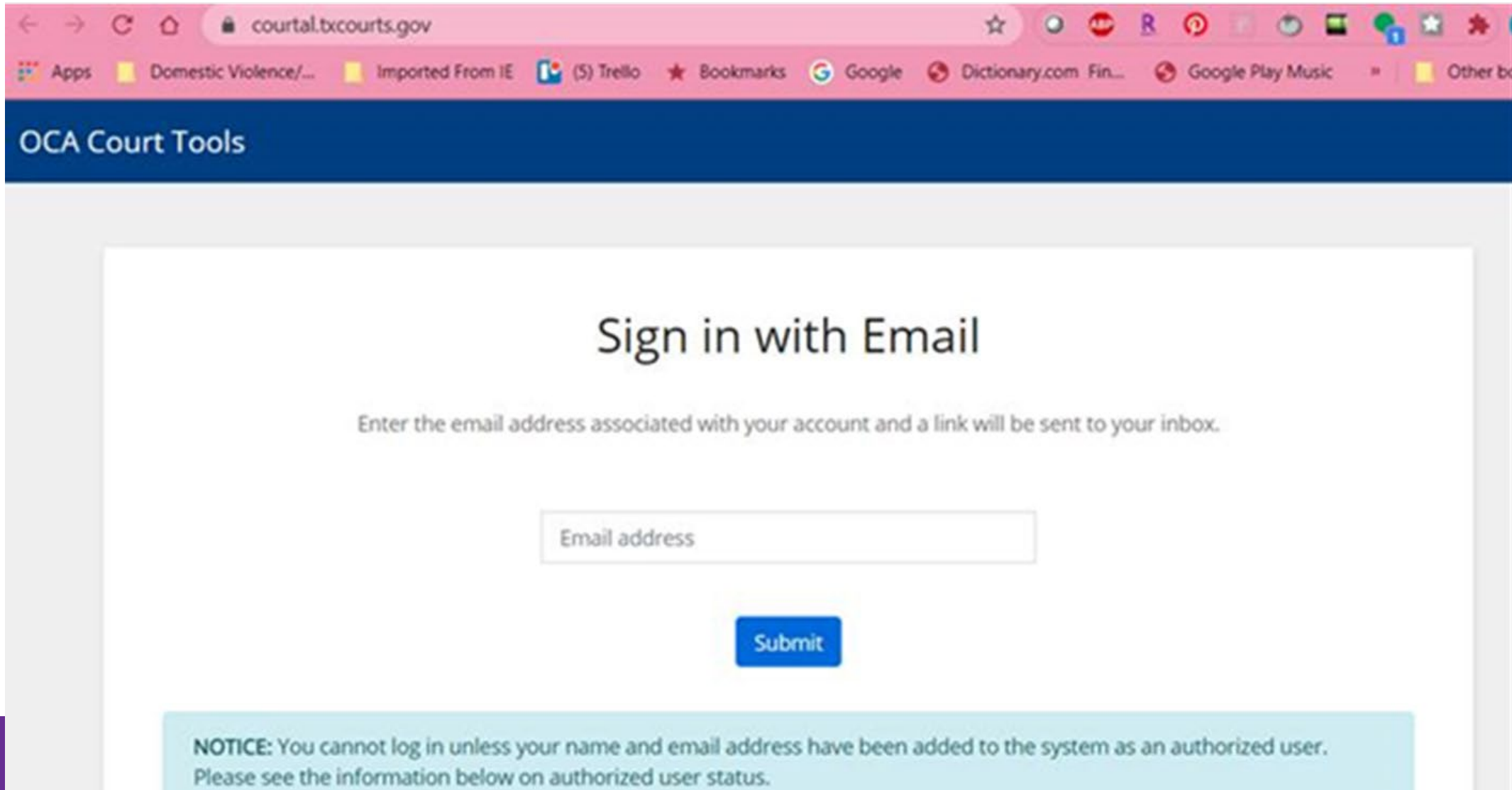


Start here in Chrome browser

[HTTPS://COURTAL.TXCOURTS.GOV/](https://courtal.txcourts.gov/)



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



The screenshot shows a web browser window with the URL `courtal.txcourts.gov`. The browser's address bar and tabs are visible at the top. Below the browser window, a dark blue header contains the text "OCA Court Tools". The main content area is white and features the heading "Sign in with Email". Below the heading is a sub-heading: "Enter the email address associated with your account and a link will be sent to your inbox." A text input field with the placeholder "Email address" is centered on the page. Below the input field is a blue "Submit" button. At the bottom of the page, a light blue box contains a notice: "NOTICE: You cannot log in unless your name and email address have been added to the system as an authorized user. Please see the information below on authorized user status."



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

OCA Court Tools

Sign in

Click the link below to sign in to your account.

This link will expire in 15 minutes and can only be used once.

Sign in



Click here, then...

Edit User

First Name*

Marnie

Last Name*

Moran-Wagner

Email Address*

dawnwagner01@gmail.com

Then, make sure these boxes are selected

User Account Access

Active

Allows you to active/inactive the user account

User Court(s)*

Austin County (Select all)

Select court

155th District Court - Austin County Austin County Court Austin County Court at Law Austin County Magistrate Court

User Account Rights*

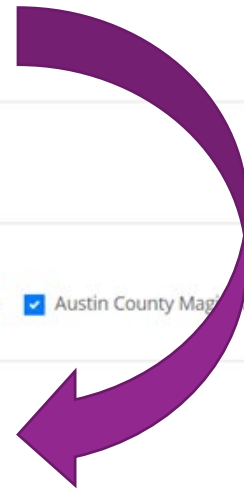
Allows you to select/deselect the user rights

- Manage Citation by Publications
- View Protective Orders
- Manage Protective Orders
- Manage User Rights

Then click Save



Save Cancel



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



For More Information:

<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/>



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



Thank you!!!

Texas Office of Court
Administration

Domestic Violence
Training Attorney

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