

October 29, 2019

RULE 16-165a SUBCOMMITTEE PRELIMINARY REPORT ON CREATION OF PROTECTIVE ORDER REGISTRY

1. Senate Bill 325, adopted by the Texas Legislature in 2019, called “Monica’s Law,” requires the Office of Court Administration (OCA) by June 2020 to (i) establish a protective order registry that allows case management systems to interface, restricted access authorized users (police, prosecutors, etc.) to access PO info and images, and (ii) establish and supervise training programs for all authorized users. The statute also mandates that starting 9-1-2020, the public will have limited public access to information on protective orders issued under Tex. Fam. Code Chapter 85, but only where the victim requests public access.
2. The OCA has started into action on this project, but work is at the discussion stage so far.
3. Attached to this Preliminary Report are five items: (1) a summary of SB 325; (2) highlights of the requirements for the protective order registry; (3) a memo on the four databases that need information pertaining to protective orders, which perhaps can be consolidated into one form; (4) a sample “Brady checklist” used in Nebraska to collect information for Federal firearms database; and (5) the present DPS TCIC Protective Order Data Entry Form presently being used to capture information about protective orders for entry into the Texas Crime Information Center Database.
4. A working relationship has been established between the Subcommittee and Kimberly A. F. Piechowiak, Domestic Violence Training Attorney with the Texas Office of Court Administration.
5. It too early to suggest specific edits to the Brady Checklist or the TCIC Protective Order Data Entry Form. At this point, it would be most helpful for Committee members to make high-level comments and suggestions about possible options.

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Subcommittee Chair