A close-up photograph of a woman's face, looking directly at the camera with a distressed expression. Her hands are pressed against her mouth, covering it completely. The lighting is dramatic, with strong shadows and highlights, emphasizing her features and the texture of her skin and hair. The overall mood is one of fear, anxiety, or helplessness.

Charged With
Misdemeanor
Or Felony
Family Violence
In Texas?

A GUIDE TO YOUR OPTIONS, RIGHTS,
AND WHAT LIES AHEAD

Jonathan Lowe, Esq.

**Charged With
Misdemeanor Or
Felony Family
Violence In Texas?**

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And What Lies Ahead**

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Jacobs & Whitehall
9600 Escarpment Blvd
Suite 745-282
Austin, TX 78749
www.jacobsandwhitehall.com

Ordering Information:

Quantity sales. Special discounts are available on quantity purchases by corporations, associations, and others. For details, contact the publisher at the address above.

Orders by U.S. trade bookstores and wholesalers. Please contact Jacobs & Whitehall: Tel: (888) 570-7338 or visit www.jacobsandwhitehall.com.

Printed in the United States of America

Published in 2026

PREFACE

I wrote this book for people who are scared, overwhelmed, and unsure what comes next after a family violence allegation in Texas.

If that's where you are right now, I want you to know something from the start: *an accusation does not define the rest of your life*. Whether you have been arrested, contacted by police, served with a protective order, or are simply trying to understand what *could* happen next, you still have rights. You still have options. And the choices you make early can matter a great deal.

I have spent my career on both sides of the courtroom. Before becoming a criminal defense attorney, I worked as a prosecutor in Bexar County and Tarrant County. I saw how these cases are built, how prosecutors evaluate evidence, and how quickly a person's future can be affected by one allegation, one police report, or one statement made in a moment of panic.

That experience changed the way I look at criminal defense. I know family violence cases are rarely simple. Some involve false accusations. Some involve misunderstandings. Some involve people who made a mistake and want to move forward the right way. No matter the circumstances, every person deserves to understand the process, protect their rights, and have someone look carefully at the full story.

This book is not a substitute for legal advice. Every case is different, and the facts matter. But my goal is to give you a clearer understanding of what you may be facing, what mistakes to avoid, and what steps can help protect your record, your reputation, your family, and your future.

If you are reading this because you or someone you love has been accused of family violence, take a breath. Do not try to fix everything alone. Get informed. Be careful about what you say. Preserve anything that may help your case. And most importantly, *speak with an attorney who understands what is at stake.*

Your life is not over. This book is here to help you understand what comes next.

ACKNOWLEDGMENTS

This book would not have been possible without the people who have shaped me as an attorney, trusted me with their cases, and supported me throughout my career.

First, I want to thank my clients and their families. Many of you came to me during one of the hardest moments of your life. You trusted me with your future, your reputation, and your story. That trust is never something I take lightly.

I also want to thank the mentors, colleagues, judges, court staff, and legal professionals who have helped shape the way I practice law. My years as a prosecutor and my work as a defense attorney have taught me that every case deserves preparation, perspective, and a willingness to look beyond the surface.

To the team and supporters of The Lowe Law Office, PLLC, thank you for helping me serve clients with the care, urgency, and professionalism they deserve.

Finally, I want to thank my family and close friends for their patience, encouragement, and support. This work can be incredibly demanding, but having people who believe in me and in the purpose behind what I do makes all the difference.

TESTIMONIALS

“Jonathan, I just want to express my gratitude to you for all you did for my brother Terry. The entire family is so pleased with the deal you got him and feel he is very lucky to have had you for his attorney. It was so admirable that you did express empathy and never seemed to judge him. Plus you seemed to understand the value of family. You have restored my faith in attorneys, you always answered my calls, returned my calls and always followed through. Again thank you from the bottom of my heart, you were great. Sister of client.”

- Sharon E.

“Jonathan Lowe orchestrated a great job with good results concerning my friend Joel Violet. Attorney Lowe showed compassion and concern. Appreciate all his hard work. I hope I never need an attorney but if I do would like to have him in my corner.”

- Daniel S.

"I recently had the pleasure of working with The Lowe Law Office, PLLC on behalf of my client, and I am thoroughly impressed with the service provided. From the outset, his professionalism and dedication were evident. Attorney The Lowe Law Office, PLLC demonstrated a deep understanding of the legal intricacies involved in my client's case, ensuring every detail was meticulously handled. Communication was seamless, with prompt and clear responses to any inquiries we had. This level of attentiveness made the entire process much smoother and less stressful for my client. Moreover, their expertise and strategic approach were instrumental in achieving a favorable outcome. They were not only knowledgeable but also empathetic, taking the time to understand my client's unique situation and needs. This personalized approach made a significant difference and highlighted their commitment to my clients' best interests. I highly recommend The Lowe Law Office, PLLC to anyone seeking reliable and compassionate legal representation. Their exceptional service and dedication to their clients are truly commendable."

- Jimmy C.

“Jonathan was very helpful and in tune with my son’s case he made sure my son understood what was going on at all times I honestly don’t know what we would’ve done without him very thankful to have him as a lawyer.”

- Tynisha W.

“This was my sons first time ever being in trouble. When he was assigned an attorney, I just knew no attorney would work for my son. We all assume that about court appointed attorneys. When I say Mr. Lowe was the BEST!!! He actually worked for my son. I never seen that with a court appointed attorneys. I could only imagine if you paid him. He is a great attorney. I would use him every time.”

- Ahvrany W.

DISCLAIMER

This publication is intended to be used for educational purposes only. No legal advice is being given, and no attorney-client relationship is intended to be created by reading this material. The author assumes no liability for any errors or omissions or for how this book or its contents are used or interpreted, or for any consequences resulting directly or indirectly from the use of this book. For legal or any other advice, please consult an experienced attorney or the appropriate expert, who is aware of the specific facts of your case and is knowledgeable in the law in your jurisdiction.

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CHALLENGING FAMILY VIOLENCE ALLEGATIONS IN TEXAS: WHAT TO DO WHEN YOU'RE ACCUSED AND HOW TO FIGHT BACK



From Prosecutor To Defender: What Drew Me To Criminal Defense Law

For nearly a decade, I served as a prosecutor, first in Bexar County, San Antonio, and then for over six years in Tarrant County, Fort Worth. During that time, I handled countless cases, from misdemeanors and DWIs to high-stakes felonies such as aggravated assault, robbery, sexual assault, and even murder.

Each case was different, and that's a major aspect of what drew me in. The challenge, the nuance, and the reality that no two situations are ever the same were absolutely thrilling for me.

But over time, I began to notice something that didn't sit right. Two prosecutors could look at the exact same set of facts and come to wildly different conclusions. One might push for probation, while another would demand prison time. The difference? Often, it had less to do with the law and more to do with their personal interpretation of justice. That inconsistency is what led me to criminal defense.

I saw the power prosecutors wield and the consequences of using that power without accountability. I also saw how police reports could be flawed, how evidence could be stretched or misinterpreted, and how life-altering decisions were sometimes made with too little scrutiny. I realized that good people, people with families, careers, and futures, were getting swept up in a system that doesn't always reward fairness.

As a Board-Certified Criminal Law Defense Attorney, a distinction earned by less than 1% of Texas attorneys, I now use my insider knowledge to protect the rights of those who are accused. I know how prosecutors think, how police operate, and how judges make decisions. And this gives me a significant edge, allowing me to evaluate whether an offer is truly fair, whether evidence should be challenged, and whether a case should even be in court to begin with.

Hard Lessons From The Front Lines

Early in my career, I handled hundreds of family violence cases. What I saw then still shapes how I defend my clients today. In case after case, alleged victims would come forward after the fact and say they wanted to take back their original statements. They'd admit they lied to the police. Or they'd say the officers pressured them into saying something they didn't mean.

Sometimes, it was clear the allegations were false. Other times, the truth was murky. But the pattern was unmistakable: people were being arrested,

charged, and prosecuted, sometimes with no physical evidence and no way to defend themselves except their word against another's.

In some cases, false allegations were made out of revenge. In others, they were used as leverage in a family law dispute, such as a divorce or custody battle. And while some prosecutors approached these cases with care, others were focused only on conviction rates. Dismissing wasn't in their vocabulary.

Who This Book Is For And Why It Matters

If you're caught in the middle of this system and are looking for guidance, this book is for you. This book is about truth. It's about justice. And it's about helping you move forward with your life without being defined forever by a single moment.

Whether you're facing false accusations or you've made a mistake and want to make it right, this book is for you. If you've been charged with misdemeanor or felony family violence in Texas, I've written this guide to help you understand your

options, your rights, and what to expect. Maybe you've already been arrested. Maybe you're under investigation. Or maybe you're just scared and don't know what comes next.

No matter your specific situation, know you're not alone, and you do have options.

CHAPTER 1

FAMILY VIOLENCE LAWS IN TEXAS EXPLAINED: WHAT YOU NEED TO KNOW TO PROTECT YOURSELF



Breaking Down Family Violence Laws In Texas

Under Texas Family Code §71.004, family violence is defined as:

An act by a member of a family or household against another member that is intended to result in

physical harm, bodily injury, assault, or a threat that places the member in fear of imminent physical harm.

Importantly, reasonable discipline of a child is excluded from this definition. The term family is also legally broader than most people realize. It includes:

- Spouses and former spouses
- Individuals related by blood or marriage
- Parents of the same child, regardless of relationship status
- Foster parents and children
- Roommates or former roommates
- Romantic or intimate partners, whether current or former

This wide scope means that you don't have to be married, living together, or even physically violent to be accused under Texas family violence laws.

When A Family Violence Charge Becomes A Felony

Family violence charges in Texas range from minor misdemeanors to serious felonies. Here's a simplified breakdown:

Misdemeanors

- Class C: Assault by offensive or provocative physical contact.
- Class A: Assault causing bodily injury to a family member; also includes terroristic threats and violation of a protective order, first offense.

Felonies

- Third-Degree Felony:
 - Second family violence assault if a repeat offense
 - Assault by choking or strangulation
 - Violating a protective order two or more times within 12 months

- Continuous family violence, that is, two separate assaults within 12 months on the same or different victims
- Second-Degree Felony:
 - Choking or strangulation with a prior family violence conviction
 - Aggravated assault with a deadly weapon, even if there is no serious bodily injury
- First-Degree Felony:
 - Aggravated assault with a deadly weapon that causes serious bodily injury to a family member

Each increase in severity raises the stakes with longer sentences, harsher consequences, and greater long-term damage to your record.

Is Physical Evidence A Prerequisite For Conviction?

No, physical evidence is not needed for a conviction. That's one of the most sobering facts about

family violence cases. Texas follows what's called the One Witness Rule. That means if a jury believes the testimony of a single witness, typically the alleged victim, and that testimony alone proves each element of the charge beyond a reasonable doubt, a conviction can legally stand. There's no requirement for things like:

- Physical injuries
- Surveillance footage
- Texts or emails

It all comes down to credibility. A jury decides how much weight to give any witness, whether they're a police officer, a civilian, or the alleged victim. They can believe all, some, or none of what a witness says, and that makes trial strategy incredibly important.

As for arrests, police only need probable cause, a much lower standard than proof beyond a reasonable doubt. If an officer believes the accusation is credible, they can legally arrest you, even without physical evidence.

If An Alleged Victim Recants...

This is common and surprisingly complicated. Yes, you can still be charged even if the alleged victim later says it didn't happen. Recanting doesn't erase the initial report or the state's right to prosecute. In fact, prosecutors may argue that the change in story makes the victim less credible, not more. They'll often look for corroborating evidence from the time of the original accusation:

- Witnesses
- Surveillance video
- Texts, social media posts, voicemails
- Medical reports

The prosecution will also explore whether the victim has a motive to change their story, such as relying financially on the accused, facing pressure from family members, believing in promises that things will be different, or being involved in a divorce or custody dispute.

At that point, it becomes a question of whether the case can be proven in court, not just whether it can be filed. A seasoned defense attorney will challenge the admissibility of hearsay, expose credibility issues, and make it difficult for the state to meet its burden.

Your Key First Steps

If there's one takeaway from this chapter, it's this: Say nothing, preserve everything, and call a lawyer. Don't talk to anyone but your lawyer. Not the police. Not your friends. Not even your family. Simply say: I'm innocent, and my attorney has advised me not to discuss the case and I am simply following his advice.

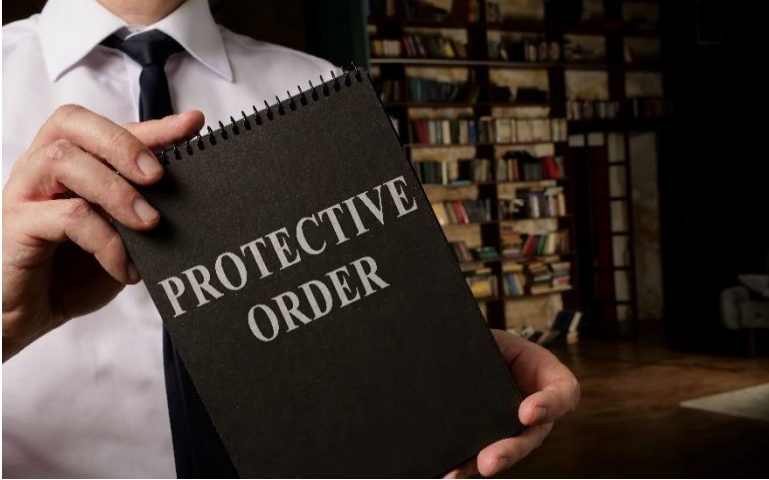
Save surveillance footage from your home, business, and any relevant nearby areas. Back up texts, emails, and voicemails—anything the alleged victim has sent you. And finally, identify potential witnesses who saw or heard anything relevant, especially neutral third parties.

There's a good chance your emotions are high, and any misstep can be used against you. An

experienced defense attorney will help you form a strategy and avoid mistakes that signal guilt or damage your credibility later. Contact a lawyer as soon as is practical so they can help you avoid careless fumbles that could derail your case.

CHAPTER 2

PROTECTIVE ORDERS IN TEXAS: WHAT THEY MEAN AND HOW TO NAVIGATE THEM SAFELY



Protective Orders In Texas: The Basics

A protective order is a legal order from a court that's designed to prevent violence or threats of violence between people in close or domestic relationships. In Texas, these orders can be either criminal or civil. Criminal protective orders often come as a condition of bond after an arrest for family violence. Civil protective orders, sometimes called restraining

orders or injunctions, can be requested through the courts, even without an active criminal case.

A protective order can be requested by several parties, including an alleged victim of family violence, a parent or guardian acting on behalf of a child, the district attorney's office representing the protected individual, or a private attorney filing the request for their client.

Before granting a protective order, the court must determine two things: that family violence has occurred and that it's likely to happen again. If both elements are proven by a preponderance of the evidence, a lower standard than what's required in criminal court to convict a person of a crime, the judge has the authority to issue the order.

How Long Protective Orders Last

The duration of protective orders varies, depending on the circumstances and type. Emergency Protective Orders are typically issued after an arrest and usually last up to 60 days. Temporary Ex Parte

Orders are issued quickly and without notice to the other party, lasting a few weeks or longer, depending on the judge.

Final Protective Orders are more permanent in nature and typically last up to two years but may be extended in serious cases involving repeat violence, sexual assault, or weapons.

Each order is tailored to the situation, and the judge's discretion plays a big role in what the order looks like and what it requires.

Do You Have To Leave Your Home If There's A Protective Order?

Often, yes, many protective orders come with specific conditions that require people to leave their homes, such as:

- No contact, whether verbal, written, or electronic, with the protected person, except through attorneys or a court-appointed third party

- Stay-away provisions from the protected person's home, school, workplace, and family members
- Firearm restrictions barring you from possessing firearms or ammunition
- Eviction from a shared home, especially if the protected person resides there

If a judge includes those terms, you must comply or face arrest. Even a well-meaning act, like dropping off gifts for your children, could violate the protective order.

Violating A Protective Order

Violating a protective order is a criminal offense. A first violation is typically charged as a Class A misdemeanor, which can carry up to one year in jail and a fine of up to \$4,000. If you violate the order multiple times, specifically two or more violations within a 12-month period, charges can be elevated to a third-degree felony. That level of offense is punishable

by two to ten years in prison or up to ten years of probation, and fines reaching \$10,000.

Can You See Or Contact Your Children If There's A Protective Order In Place?

Whether or not you can see or get in touch with your children depends entirely on who is protected by the order. If the protective order names only your spouse or partner, you may still see your children. If your children are also named as protected parties, any contact with them could violate the order.

Your attorney can review the order's specific language and, if appropriate, file a motion to modify it. That process gives you a chance to present evidence, challenge the original order, or argue that circumstances have changed.

Until the order is modified, you must obey it exactly as written, no matter how unfair it may seem.

Case Study: Why It's Vital Not To Violate Protective Orders

A father who had a protective order against him dropped off Christmas gifts for his kids at his spouse's front door, a violation of the no-contact clause. He was arrested, and while we were eventually able to get the charges dismissed, he still had to go through the arrest, bond, and legal process. Worse, it dramatically complicated his family law case.

No matter how simple or innocent your act may seem to you, it is critical to comply with the protective order to protect yourself, your case, and your legal interests.

Will A Protective Order Show Up On Background Checks?

Protective orders are civil, not criminal, so they don't typically appear in standard criminal background checks. However, they are public records, and the existence of a protective order can be discovered in more thorough screenings, especially for

jobs involving security, law enforcement, childcare, or government contracts.

Copies of protective orders are sent to:

- Local law enforcement
- The county sheriff
- Any school or childcare facility listed in the order
- The protected individual

While it may not lead to a criminal record, a protective order can still have very real consequences for employment, reputation, and family court outcomes.

Protective orders are serious. They're not just no-contact suggestions; they're binding court orders that carry criminal penalties. If you've been served one, read it carefully, obey every word, and contact an attorney immediately. Don't try to reason with the protected person. Don't explain yourself. And don't assume you'll be forgiven later, because even a single misstep can escalate your case to another misdemeanor or felony offense.

CHAPTER 3

WHAT COUNTS AS STRONG EVIDENCE TO FIGHT A FAMILY VIOLENCE CHARGE?



When you've been accused of family violence, evidence is everything. In fact, the outcome of your case may hinge less on what actually happened and more on what can be proven. Whether you're defending against false allegations or arguing self-defense, you'll need a clear, strategic approach to building your case. This chapter breaks down what kinds of evidence for family violence defense in Texas

can help and how to avoid damaging your own credibility along the way.

Text Messages And Emails: Integral To A Solid Defense

Text messages and email are often some of the most powerful tools you have. Here's the reality: when police arrive at the scene of a domestic dispute, they usually have very little information. They may have a 911 call and a few chaotic minutes of observation. In most cases, they don't know the people involved or the context of your dispute. They have to make quick decisions and often err on the side of caution by making an arrest.

But police rarely collect complete digital communications unless you or your attorney push for them. That's why preserving text messages, emails, and even voicemails is critical. You want to gather:

- Messages from the day of the alleged incident

- Messages from the days or weeks before, especially if they show threats, manipulation, or erratic behavior from the alleged victim
- Any evidence of your intent or emotional state, particularly if you were defending yourself or de-escalating

Victims often selectively show police only the messages that support their narrative. But context matters, and full message histories can reveal inconsistencies, contradictions, or even outright deception.

Case Study : The Value Of Digital Evidence

In a felony case I prosecuted years ago, the alleged victim provided screenshots of text messages but had deleted key portions that made her claims look far more serious than they were. Once the defense obtained the full message chain, it completely changed the trajectory of the case. Although there was other evidence showing that defendant may have been guilty, I ended up dismissing that case because I could not sponsor a “victim” who I did not believe was telling the

whole truth. How can an ethical prosecutor put a victim on the stand when that person has intentionally lied to the prosecutor? That is why it is imperative to know both sides of the story, to make sure the evidence has not been tampered with, and to provide context for the prosecutor and/or jury.

Witnesses Testifying On Your Behalf

Witnesses not only can but should testify on your behalf, especially if they can support your defense. Your attorney will help determine which witnesses to call, but you'll be a critical part of identifying who they are. Valuable witnesses might include neutral third parties who don't have a personal stake in the case, friends or family members who were present during the incident or who understand the relationship dynamics, and anyone who can speak to your character or suggest that the accuser may have a motive to lie.

These individuals might testify about...

- Acts of self-defense

- Signs of dishonesty or manipulation by the accuser
- The broader context surrounding the alleged incident, such as alcohol use, heightened stress, or child discipline issues
- Police errors or oversights during the investigation

And just because someone wasn't initially interviewed by law enforcement or mentioned in the report doesn't mean they can't take the stand. If they help tell the full story, they can be part of your defense.

Social Media Posts And Texas Courts

Posts you make on social media can be admissible in court, but their admissibility depends on two key legal hurdles: authentication and hearsay. Authentication means proving that the post is real and came from the person it's attributed to. That could mean using metadata, witness testimony, or other evidence to tie the content to the individual. Hearsay is any out-of-court statement offered to prove the truth

of the matter asserted. It's generally not allowed, but there are many exceptions.

For example, if the prosecution wants to use something you posted, they can often do so under the "statement by a party opponent" exception to the hearsay rule. However, if you try to introduce your own post, the state may object on the grounds that it's self-serving hearsay. When the accuser or another witness posts something, the court will have to consider whether an exception applies, whether that person is available to testify, and whether admitting the statement would violate your right to confront your accuser in the event they do not take the stand to testify.

Bottom line: social media can be helpful, but it must be used carefully and strategically under the rules of evidence.

Evidence You Can Use To Question An Accuser's Credibility

Challenging the accuser's credibility is often a key part of your defense. Here's what you can use in Texas to that end:

Inconsistent Statements

Did your accuser tell one version of events to the police and another version to their friends?

Timing Of Claims

A delayed outcry, such as weeks or months after the alleged event, raises serious questions unless the alleged actions are supported by expert testimony or corroborating evidence.

Lack Of Physical Evidence

If your accuser claims to have been hit but has no visible injuries or medical reports to verify an injury, that could damage their credibility.

Motive To Lie

A pending divorce, child custody disputes, the desire for revenge, possible financial gain, or undue influence from others can all be used to suggest ulterior motives.

Prior False Reports Or Accusations

If your accuser has a history of making questionable claims, that history matters considerably.

Contradictory Digital Evidence

Texts, emails, or social media posts that contradict your accuser's story can be highly persuasive to a jury.

Ultimately, the jury decides who they believe. Your attorney's job is to present the strongest argument for why your accuser's story doesn't hold up.

Staying Credible While Defending Yourself

Credibility is everything in a family violence case, and even small missteps can have big

consequences. To protect your credibility, it's essential to stay quiet unless your attorney is present. Avoid making inconsistent statements, even about unrelated matters, as anything that casts doubt on your honesty can be used against you. Resist the urge to explain your side to police, friends, co-workers, or anyone else. Even seemingly harmless comments can be misquoted, taken out of context, or used to paint a misleading picture.

Also, remember: what others say you told them, even if it's completely untrue, might still be introduced in court. Your attorney can challenge it, but a jury may still hear it and form an impression.

If you decide to testify, your account must be consistent and backed up by credible evidence. Any inconsistency, no matter how minor, can give the prosecution ammunition to suggest you're not telling the truth.

Build The Truth Into Your Defense Early

The sooner you begin preserving evidence, identifying witnesses, and understanding your legal

position, the better. Don't wait for the State to shape the narrative. Take control of your side of the story, and do it with strategy, not emotion. Even before charges are filed, start saving texts, taking notes, and preserving communications. Your defense begins the moment the allegation is made.

CHAPTER 4

FAMILY VIOLENCE CONVICTIONS: HOW THEY CAN AFFECT YOUR JOB, RIGHTS, AND REPUTATION IN TEXAS



When people think of a family violence charge, their first thought is usually jail. But jail time is often just the beginning. A conviction or even just an arrest can follow you for years, affecting your career, your housing options, your personal relationships, and your future. In this chapter, we'll walk through

exactly how serious the impact can be and what you can do to protect yourself in the here and now.

Potential Penalties

The criminal penalties you may face depend on whether the charge is a misdemeanor or a felony and whether you're sentenced to jail, prison, or probation. Misdemeanors may result in county jail time of up to 1 year. On the other hand, felonies can lead to state prison time, generally for two years or more. Probation may include:

- Monthly reporting to a probation officer
- Court fines and fees
- Community service
- Drug or alcohol testing
- Anger management or counseling
- No contact orders
- Restitution or reimbursement for damages or medical bills

- Possible short-term jail as a condition of probation

Many people take probation thinking it's a win, but it comes with strict rules, and violations can land you back in jail and possibly in prison.

Effects On Employment And Professional Licenses

Employers may terminate you if they find out about a family violence conviction. If you work in education, healthcare, security, finance, or public service, a conviction can be especially damaging. Licensing boards in industries like nursing, law, teaching, and real estate do not need a conviction to take action. Sometimes, an arrest alone is enough. Each board has its own rules, and many will conduct independent investigations regardless of the court's outcome. In some cases, even a dismissed case may still trigger license consequences.

If you have a professional license or hope to get one, tell your attorney early, as this may impact

how your case is handled and what plea options are on the table.

Charges And Employment Screenings

In most cases, a family violence charge will show up on employment screenings. An arrest is public record, as is the court case, including a plea or conviction. Even a dismissal is visible unless and until it's expunged. Employers can access all of this during routine background checks, and many use third-party services that pull full criminal and court histories, not just convictions.

A Permanently Blotted Record?

Whether a charge stays on your record depends on how your case is resolved. If your case is dismissed, you may be eligible for an expunction, a legal process that can erase the record entirely. However, if you plead guilty or are convicted, even if the sentence is just probation, the charge may remain on your record permanently.

In some situations, your attorney might be able to negotiate a plea deal that avoids a formal family violence finding or reduces the charge to something less damaging. Still, even with those adjustments, the underlying accusation can carry a lasting stigma.

It's also important to understand that a dismissal doesn't automatically remove the arrest from your record. You'll typically need to file a separate petition to have it expunged, and you may not be eligible for the expunction until after the statute of limitations has run, which could be two or three years after the arrest.

The Social Consequences Of A Family Violence Charge

The social consequences of a charge are often the most impactful and one of the hardest to recover from. A family violence record can make it extremely difficult to find housing, as many apartment complexes refuse to rent to individuals with such convictions. Some may simply deny your application without providing a clear reason.

Your reputation may also take a hit. Friends and family might begin to distance themselves, even if they tell you they believe your side of the story. In child-related settings, you could be treated differently by schools, daycares, or other parents, particularly in private institutions, where discretion and image matter more.

And then there's the community stigma. Labels like abuser or wife beater, even when the allegations are false or later recanted, can stick in ways that an expungement never fully erases. The public doesn't always differentiate between an accusation and a conviction.

While you can't unring the bell, you can still take steps to minimize the fallout and rebuild your life with the right legal support and a clear, strategic plan.

Minimizing The Impact Of A Conviction

The first and most important step: work with an experienced attorney you trust. An experienced defense lawyer will evaluate all available options,

including diversion programs, conditional dismissals, or plea negotiations. They'll also help you avoid a formal conviction if possible. Their understanding of local juries, judges, and prosecutors will also be invaluable, and they'll use that insight to build the best defense strategy they can.

In some cases, the risk of a trial may outweigh the benefits of a plea deal, especially if the evidence against you is strong or the jury pool is unpredictable. Your attorney can help you weigh:

- Is the plea deal acceptable?
- Will it protect your job, license, or housing?
- Are you eligible for a reduced charge?
- Is a not guilty verdict realistic or risky?

Every case is unique, but your defense strategy should be built around more than just the courtroom; it should protect your future, as well.

Protect Your Future At All Costs

Family violence conviction consequences in Texas aren't just legal issues; they're life issues. It can follow you for years, even decades, changing how you're seen, where you can live, and what kind of future you're allowed to build. So, don't take chances. Get the right legal guidance early. Your freedom, your reputation, and your future could very well depend on it.

CHAPTER 5

GETTING YOUR LIFE BACK ON TRACK AFTER A CASE DISMISSAL



What A Dismissal Really Means

If your case has been dismissed, that's a huge relief, but it doesn't mean your work is done. A dismissal means the charges are no longer being pursued; the case is closed. In most situations, especially in Tarrant County, once the District Attorney's Office dismisses a case, they are unlikely to refile it. But unlikely doesn't mean impossible.

A dismissal doesn't automatically clear your record, either. You may need to file for an expunction to legally erase the case from your criminal history. You may be eligible for an expunction, but whether you qualify or not depends on the details of your case. Not all dismissals qualify, and an experienced attorney will help you better understand your legal options.

Finally, any bond conditions you were under, such as no-contact orders, electronic monitoring, drug testing, or firearm restrictions, are immediately lifted when your case is dismissed. Even active failure-to-appear warrants tied to the case will be resolved if the underlying charges are dismissed.

So, while a dismissal is a victory, the smartest move is to close every remaining legal loop, especially with regard to your record.

Charged Again For The Same Incident?

It's possible for the state of Texas to refile charges if the statute of limitations hasn't expired and the dismissal wasn't with prejudice. For misdemeanors, the

statute of limitations is typically two years. For felonies, it's at least three years, sometimes longer, depending on the specific charge.

That said, the circumstances surrounding the dismissal do indeed matter. If your case was dismissed with prejudice, the state is barred from refile. This kind of dismissal often results from a constitutional violation, such as a denial of a speedy trial, lack of probable cause, or suppression of key evidence that was obtained illegally.

On the other hand, if the case was dismissed without prejudice, the state does have the technical right to refile, but only if it can justify it. For instance, if evidence was suppressed by the court, prosecutors can't simply refile and pretend the ruling never happened. That suppression of evidence still applies.

Suing For Wrongful Arrest Or Emotional Distress From A False Allegation

Timing is everything in the legal system, and bringing a lawsuit in a family violence case comes

with real risks. You have the right to pursue a civil lawsuit for:

- Wrongful arrest
- Emotional distress
- Defamation or malicious prosecution

But here's the reality: suing while your criminal case is active is very risky. Prosecutors might push harder simply because they don't want your civil suit to gain momentum. Even if no one says it out loud, retaliation can—and does—happen behind the scenes.

Here's a much smarter move: Get your criminal case resolved first, especially if it can be dismissed. Then, consult a civil attorney to explore your options. And remember, there are statutes of limitations for civil claims, so don't wait too long after your criminal case wraps up to pursue a lawsuit.

To sum it up, while you can sue, don't let your desire for vindication derail your best chance at

freedom. Get your criminal case dismissed, then weigh your next move.

Restoring Your Reputation In The Community

Rebuilding your life after a case dismissal in Texas takes time and intentional effort. A dismissal won't silence the whispers or erase your digital footprint overnight. But there's a path forward. Here are some general tips to consider as you move in this direction:

- Live visibly and intentionally. Volunteer. Help others. Stay active in your community.
- Don't try to explain your case to everyone. Let your actions speak louder than your words.
- Be consistent. People will likely be skeptical at first. That's normal. What matters is what you do over time.

People respond to integrity. They notice quiet accountability. And eventually, most will come around when they see the version of you that isn't defined by the accusation.

Keep things simple and focused. Prioritize your family. Relationships are your backbone. Ground yourself in faith or purpose, generally something bigger than your case. And do whatever you can to protect your job or career. It is the engine of your independence, after all.

If you want to build from there, whether that looks like pursuing new goals, starting a business, or reconnecting with old friends, go for it. But don't underestimate the power of stability. You don't have to bounce back all at once. You just have to keep moving forward on your terms. You've been through the worst of it. Now, it's time to take control of what comes next.

CHAPTER 6

CHOOSING THE RIGHT CRIMINAL DEFENSE ATTORNEY FOR YOUR FAMILY VIOLENCE ALLEGATION



What To Look For In A Texas Criminal Defense Attorney

Not all Texas family violence attorneys are created equal. That raises an important question: what actually makes a defense attorney right for your case? The most qualified attorneys tend to share a few key characteristics, including:

Trial Experience

You don't want a plea lawyer. You want someone who actually tries cases. Prosecutors know which defense attorneys are willing to go to trial and which ones aren't. The ones who fight cases in court command far more respect, which often leads to better plea deals. Why? Because prosecutors hate to lose at trial. It affects their reputation and career advancement. They're more cautious and more flexible with attorneys who can take them the distance.

Local Knowledge

You want someone who practices regularly in the county where your case is pending. A local attorney knows the judges, the prosecutors, the court coordinators, and most importantly, the unwritten rules of the courthouse. They understand how Tarrant County juries tend to think, which types of cases are likely to go to trial, how judges typically rule on key motions, and whether a prosecutor's final offer is really final or just part of the game.

Aptitude

Ask whether a prospective defense attorney routinely handles these charges, not just as part of a general criminal practice, but as a focus. Family violence cases are nuanced, and the best results often hinge on knowing how to challenge hearsay, invoke the Confrontation Clause, and exploit evidentiary rules in your favor.

Former Prosecutor Advantage

Attorneys who've worked in the DA's office, especially in the same county, understand the inner workings most defense lawyers never see. They know which cases are likely to be dismissed quietly, which prosecutors respond to pressure, and how internal policy decisions can shape plea offers.

Board Certification

This is a big one. Fewer than 1% of Texas criminal lawyers are board-certified in criminal law. Certification signals that the attorney has passed

rigorous testing and peer review and demonstrated command in the field.

The Benefits Of Hiring A Local Attorney

Hiring someone local isn't just a matter of convenience; it's a strategic advantage. A local attorney knows the key players in the courtroom, including judges, prosecutors, probation officers, and court coordinators. They understand how the local docket system works and are familiar with the informal customs that often shape how cases are handled.

When a judge says something like Let's move this along, a local attorney knows whether that signals a trial is imminent or just another reset. They can also anticipate when a case set for trial is truly going forward or if it's likely to be delayed.

Most importantly, a local attorney is part of the legal community and won't be hometowned by the prosecution. That level of insight helps avoid costly missteps and can improve your chances at every stage of the process.

Questions To Ask During A Consultation

Use your initial consultation to get clarity and confidence. Here are the questions that really matter:

- How many jury trials have you handled? How many were family violence cases?
- Are you board-certified in criminal law?
- Are you a former prosecutor?
- How often do you practice in the county where my case is filed?
- Do you handle both misdemeanors and felonies?
- What percentage of your practice is devoted to criminal defense?
- Who will actually handle my case day-to-day?

Pay attention not just to their answers but how they answer. Are they confident but candid? Do they listen to you? Or are they rushing through a sales pitch?

The Real Cost Of Hiring The Wrong Attorney

Cheaper lawyers tend to carry high caseloads. They show up to court, grab the offer from the prosecutor, and hand it to you without much strategy. They may not review body cam footage. They may not talk to witnesses. They might not even remember your name. Some of these firms operate on volume, meaning you're a case number, not a person.

More expensive attorneys generally:

- Take fewer cases so they can focus deeply on yours
- Schedule off-docket meetings with prosecutors to negotiate directly
- Watch every second of body cam footage
- Speak with your family, hire investigators, and build a full picture of your case
- Know the evidence, the law, and the nuances of your situation

That doesn't necessarily mean every high-fee lawyer is worth it, but you're more likely to get hands-on, experienced representation from someone who charges accordingly and limits their caseload. The real value is peace of mind. With the right attorney, you'll know they're fighting for you. Your freedom, your record, and your reputation aren't worth cutting corners on.

Trust: The Crux Of An Attorney-Client Relationship

Trust isn't optional; it's everything. Most clients have no real way of knowing whether the offer on the table is the best possible outcome. That's why trusting the attorney you hire is essential. Without it, you'll constantly second-guess the process or, worse, accept bad advice because you don't know any better.

Some attorneys will skim your police report in ten minutes, never review body cam footage unless you pressure them, and avoid discussing trial altogether because they assume you can't afford it. Others offer low payment plans, only to repeatedly

reset your case, not to buy time to build a defense, but to keep getting paid.

You deserve more than that. You deserve someone who takes your case seriously, someone who fights for you as if their own name and reputation are on the line. That means hiring a lawyer who understands the law, takes the time to know your case inside and out, respects the gravity of your situation, and earns your trust – and, more importantly, keeps it.

CHAPTER 7

CLOSING THOUGHTS: WHY YOU SHOULD HIRE ATTORNEY JONATHAN LOWE TO DEFEND YOU AGAINST A FAMILY VIOLENCE ALLEGATION



What Sets The Lowe Law Office, PLLC, Apart

I've spent my career on both sides of the courtroom. I'm a Board-Certified Criminal Law Specialist, a former felony prosecutor here in Tarrant County, and I've tried over 90 jury trials to verdict,

including family violence, aggravated assault, robbery, murder, and sexual assault cases.

Prosecutors and judges in Tarrant County know me. They know I don't bluff when I say I'm ready for trial. That reputation matters, not just in the courtroom but at the negotiating table, too. I fight for dismissals. I fight for reduced charges. And even in tough cases where the facts aren't in our favor, I've been able to convince prosecutors to offer probation instead of prison because I understand the system and the people behind it.

Beyond professional experience, I bring trust, transparency, and accessibility to every client. I offer reasonable fees, and I do the work myself. When you hire Jonathan Lowe, you get me, not a junior associate or a faceless firm. That matters a lot when your reputation, future, and freedom are on the line.

Building Trust With Clients

Many clients come to me feeling anxious, confused, and unsure who to trust. That's more than understandable. A family violence allegation is often

the most stressful experience of someone's life. That's why I take the time to listen. I close my laptop, look you in the eye, and ask what's really going on. Sometimes, the legal issue isn't the only problem. Family, finances, or emotional stress can all affect a case. I want to understand the full picture.

I also break down the evidence, from police reports to video footage and statements, to identify every possible flaw. Did the police do their job? Did they twist a witness statement? Miss something critical? I look for every opportunity to challenge your case and secure the best possible outcome.

I walk you through every step of the legal process: court settings, timelines, what to wear, what to expect, and what the potential outcomes are. I explain plea offers: the good, the bad, and the ones you should absolutely reject. I'll tell you the risks of trial, the odds, and when we push forward.

And I make it a point to respond as quickly as I can. You'll hear back within 24 hours, not days or weeks later.

And again, when you hire me, you get me. I don't farm your case out to someone you've never met. Many large firms operate like assembly lines. You sign with one lawyer, and then someone else you've never seen shows up to court. I see it all the time, but I don't operate that way. Your name is on the docket. My name is on the line.

My Core Values

I advocate for my clients like they're family because that's how I see them. I represent juveniles like I would want someone to represent my own children. I represent adults like they're my brothers, sisters, or closest friends.

Whether someone is in jail or out on bond, they deserve a voice that's steady, experienced, and fully committed. I show up. I explain what's happening at each step. I keep my clients informed. I give them back a sense of control in a situation where they feel powerless. And at the end of the case, no matter the outcome, I want every client to be able to say: I got the best defense possible.

What I'd Tell Anyone Who Thinks Their Life Is Over After A Family Violence Allegation

It's not over. Don't let an arrest, or even a mistake, define the rest of your life. Don't make it worse by talking to the wrong people or trying to fix it yourself. Say nothing. Call a lawyer. Get help. You can come through this. You can rebuild.

My job is to make the legal process as smooth and strategic as possible and to protect your record, your rights, and your future. We'll walk through every step together. And when it's done, you'll be able to look back knowing you had the right person by your side.

If you're ready to fight for your future—not hand it over—I'm ready to stand beside you every step of the way.

WHAT IS THE NEXT STEP?

Board-certified in criminal law, Attorney Jonathan Lowe has experience as a former felony prosecutor in Tarrant and Bexar Counties. He also has insider knowledge of prosecution tactics, excels in litigation, and has handled more than 90 jury trials.

Visit www.thelowelawoffices.com or call (817) 369-9666 today to schedule a free consultation.

NOTES

Charged With Misdemeanor Or Felony Family Violence In Texas?

A Guide To Your Options, Rights, And What Lies Ahead

“Jonathan was very helpful and in tune with my son’s case he made sure my son understood what was going on at all times I honestly don’t know what we would’ve done without him very thankful to have him as a lawyer.”

– Tynisha W.

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“Jonathan Lowe orchestrated a great job with good results concerning my friend Joel Violet. Attorney Lowe showed compassion and concern. Appreciate all his hard work. I hope I never need an attorney but if I do would like to have him in my corner.”

– Daniel S.



Jonathan Lowe, Esq.

For nearly a decade, I served as a prosecutor, first in Bexar County, San Antonio, and then for over six years in Tarrant County, Fort Worth. During that time, I handled countless cases, from misdemeanors and DWIs to high-stakes felonies such as aggravated assault, robbery, sexual assault, and even murder. Each case was different, and that’s a major aspect of what drew me in. The challenge, the nuance, and the reality that no two situations are ever the same were absolutely thrilling for me.

But over time, I began to notice something that didn’t sit right. Two prosecutors could look at the exact same set of facts and come to wildly different conclusions. One might push for probation, while another would demand prison time. The difference? Often, it had less to do with the law and more to do with their personal interpretation of justice. That inconsistency is what led me to criminal defense.

I saw the power prosecutors wield and the consequences of using that power without accountability. I also saw how police reports could be flawed, how evidence could be stretched or misinterpreted, and how life-altering decisions were sometimes made with too little scrutiny. I realized that good people, people with families, careers, and futures, were getting swept up in a system that doesn’t always reward fairness.

As a Board-Certified Criminal Law Defense Attorney, a distinction earned by less than 1% of Texas attorneys, I now use my insider knowledge to protect the rights of those who are accused. I know how prosecutors think, how police operate, and how judges make decisions. And this gives me a significant edge, allowing me to evaluate whether an offer is truly fair, whether evidence should be challenged, and whether a case should even be in court to begin with.

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