Information About
Protection from Abuse

The Protection from Abuse Act is a state law which gives a court the power to issue a civil (non-criminal) order to protect certain people. They are:

- Spouses, or persons living as spouses, whether they live together now or did in the past
- Parents, children and other persons related by blood or marriage including persons who share biological parenthood
- Current or former sexual or intimate partners.

To be eligible for an Order for Protection from Abuse, you must have been physically abused or be in real fear of serious physical abuse because of threats or menace, or have been sexually abused, or have been knowingly restrained (kept somewhere against your will with no safe way to escape).

You can file a petition asking a Judge to grant you an Order for Protection from abuse. You do not need a lawyer to file the petition. You can do it Pro Se (which means for yourself).

Getting Help Getting Help Getting Help

Petition forms: The petition forms which must be completed to start a protection from abuse action may be obtained from the Legal Aid of Southeastern Pennsylvania or from the Prothonotary -Family Court Division, 100 N. Main Street, Doylestown, PA. Emergency petitions may be obtained from the Magisterial District Courts when the Court of Common Pleas is unavailable.

Help with the forms: Free assistance, advice and guidance is provided by A Woman's Place-Legal Advocacy Program 215-348-0445 or Legal Aid of Southeastern Pennsylvania:

Doylestown Office
224 N. Main St.
Doylestown, PA 18901
Phone: (215)340-1818

Legal representation in court: An attorney will represent you in court free of charge through a cooperative effort of the Legal Aid of Southeastern Pennsylvania and the Bucks County Bar Association. If you want a lawyer to be supplied for you through this program, contact the Legal Aid of Southeastern Pennsylvania. If you file your petition on your own, without help from Legal Aid, make sure to call Legal Aid or your own private lawyer as soon as you file so that you can be represented at the hearing.

Shelter: Contact A Woman's Place at **1-800-220-8116** if you need shelter, want to arrange for someone to accompany you to the court hearing or want legal guidance and information.

Full Order for Protection from Abuse

This order can last for up to three years. It is issued by the Judge at a hearing at the Court of Common Pleas in Doylestown, which both you (the Plaintiff) and the person who is abusing you (the Defendant) must attend. To apply for a full order, you must fill out a petition asking the Judge to order any of the following types of relief:

- Protection from abuse, harassment, threats or stalking.
- Evicting the defendant from the residence and/or granting you sole possession of the residence.
- Ordering the defendant not to have any contact with you and/or your children (if they have been physically abused or threatened with abuse) and/or an incompetent adult for whom you are a guardian.
- Ordering the defendant not to harass your relatives.
- Granting you temporary custody of the children.
- Ordering the defendant to pay financial support for you and the children (if the defendant has a duty to support).
- Ordering the defendant to give the police or sheriff any weapons which were used or threatened to be used in an incident of abuse.
- Ordering the defendant to reimburse out-of-pocket expenses you had as a result of the abuse.
- Ordering the defendant to pay your legal fees.

An ORDER page for the Judge to fill in and sign on the day of the hearing is included in your petition. **Do not write on the ORDER page.**

Temporary Order

Temporary Orders may be entered by the court to provide protection between the time a petition is filed and the time of the court hearing. Court hearings take place within ten business days after the date petitions are filed and last until the date of the court hearing.

If there is an immediate and present danger of abuse while you wait for your hearing, you may fill out the part of your petition which asks the Judge for a Temporary Order. When making this request you must appear before a Judge for an Ex parte Hearing. ***Ex parte Hearings are held Monday – Friday at 1:30 pm. In order to have the hearing on the same day you file your petition you must be in the Prothonotary's Office no later than 3 pm Monday – Thursday or 1 pm on Friday with your petition fully complete.*** The Judge will decide whether to enter a Temporary Order based on the information about your case which you include in your petition and provide at the hearing. ***If you do not meet the required time you will be directed to file your petition prior to the ex parte hearing on the following business day.***

Emergency Order

A Magisterial District Judge may only issue an Emergency Order when there is a true emergency AND the Court of Common Pleas is not available. ***Any Emergency Order issued will expire at the close of the next business day.*** Under certain circumstances the Court of Common Pleas may replace the Emergency Order with a Temporary Order and schedule a hearing which will be held within 10 business days.

If you need immediate Protection from Abuse when the Court of Common Pleas is not available, which would include weekends, holidays, after 3 pm Monday – Thursday or after 1:30 pm on Friday, the police may assist you in contacting the appropriate Magisterial District Judge to request an Emergency Order.

If an Emergency Order is *GRANTED*:

You must contact the Court of Common Pleas the next business day to confirm that your order was extended or if any further action needs to be taken pending your hearing.

If an Emergency Order in ***NOT*** *GRANTED*:

You may still request a Temporary Order and/or a Final Order directly from the Court of Common Pleas. You will need to appear in person to make this request.

Where to File

When the Court of Common Pleas is open: Go to the Prothonotary's Family Court Office, 100 North Main Street, Doylestown, PA. You may call the Doylestown office of Legal Aid of Southeastern Pennsylvania at 215-340-1818 if you would like assistance preparing your petition.

On ***weekends, holidays, after 3 pm Monday – Thursday or after 1:30 pm on Fridays***: Go to the office of the Magisterial District Judge or contact the police to find out which Magisterial District Judge is on call.

Court Costs

No fees are charged to the plaintiff however, the court may assess costs upon the defendant at the time of the hearing.

Contempt: Violation of the Court Order

If the defendant violates any type of Protection from Abuse Order call the police. If the police do not arrest the defendant and file contempt charges, you may file an affidavit to hold the defendant in contempt. (Contempt means the defendant has willfully disobeyed the court order.) Such an affidavit may be obtained and filed at the office of the Magisterial District Judge. You can also file a contempt action against the defendant at the Prothonotary's Family Court Office. An attorney from the District Attorney's Office is present for contempt proceedings and will review your petition to determine whether the allegations rise to the level of indirect criminal contempt and thus will be prosecuted by the District Attorney's Office. If the District Attorney's Office does not elect to prosecute the case, you may present your petition to the Court on your own behalf. If the Defendant commits a criminal act such as assault or terroristic threats, you can also file criminal charges at the Magisterial District Judge Office if the police don't do so.

Filing a Foreign (Out of State) Protection Order

Filing of a foreign protection order is not necessary for service or enforcement however, a plaintiff may file a certified copy of a Foreign Protection Order or Restraining Order with the Prothonotary in any county within this Commonwealth where the plaintiff believes enforcement may be necessary.

A plaintiff can mail or hand-deliver a certified copy to the Prothonotary. If you mail the order please include a written request that the order be registered along with a self-addressed stamped envelope for the Prothonotary to return a certified copy to you.

Upon the filing of a Foreign Protection Order, the Prothonotary shall transmit, in a manner prescribed by the Pennsylvania State Police, a copy of the order to the Pennsylvania State Police Registry of Protection Orders.

Orders Issued in another Judicial District (County) Within Pennsylvania

The filing of an order issued in another Judicial District within this Commonwealth is not required for enforcement purposes.

NOTICE OF EX PARTE HEARING

An Ex Parte hearing on the matter is scheduled for the _____ day of _____, 20____ at 1:30 PM., in **Courtroom_____**located in **the Bucks Justice Center, 100 N. Main St., Doylestown, PA, 18901.**

_____
Deputy Prothonotary

_____
Date

******CHECK IN WITH THE PROTHONOTARY OFFICE AT 1:00PM******

_____	: IN THE COURT OF COMMON PLEAS
Plaintiff	: OF BUCKS COUNTY, PENNSYLVANIA
	:
	:
v.	:A06-_____
	:
	:
	:
_____	:
Defendant	:

NOTICE OF HEARING AND ORDER

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in the following papers, you must appear at the hearing scheduled herein. If you fail to do so, the case may proceed against you and a FINAL order may be entered against you granting the relief requested in the petition. In particular, you may be evicted from your residence, be prohibited from possessing any firearm, other weapon, ammunition or any firearm license and lose other important rights, including custody of your children. Any protection order granted by a court may be considered in subsequent proceedings under Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, including child custody proceedings under Chapter 53 (relating to child custody).

A hearing on the matter is scheduled for the _____ day of _____, 20_____ at _____M. in Courtroom _____ located in the Bucks County Justice Center, 100 N. Main St., Doylestown, PA.

If an order of protection has been entered, you ***MUST*** obey the order until it is modified or terminated by the court after notice and hearing. If you disobey this order, the police or sheriff may arrest you. Violation of this order may subject you to a charge of indirect criminal contempt which is punishable by a fine of up to $1,000 and/or up to six months in jail under 23 Pa.C.S.A. § 6114. Violation may also subject you to prosecution and criminal penalties under the Pennsylvania Crimes Code. Under federal law, 18 U.S.C. § 2265, this order is enforceable anywhere in the United States, tribal lands, U.S. Territories and the Commonwealth of Puerto Rico. If you travel outside of the state and intentionally violate this order, you may be subject to federal criminal proceedings under the Violence Against Women Act, 18 U.S.C. § § 2261-2262.

If this order directs you to relinquish any firearm, other weapon, ammunition or any firearm license to the sheriff, you may do so upon service of this order. As an alternative, you may relinquish any firearm, other weapon, or ammunition listed herein to a third party provided you and the third party first comply with all requirements to obtain a safekeeping permit. 23 Pa. C.S.A. §6108.3. You must relinquish any firearm, other weapon, ammunition or any firearm license listed in the order no later than 24 hours after service of the order. If, due to their current location, firearms, other weapons or ammunition cannot reasonably be retrieved within the time for relinquishment, you must provide an affidavit to the sheriff listing the firearms, other weapons or ammunition and their current location no later than 24 hours after service of the order. Failure to timely relinquish any firearm, other weapon, ammunition or any firearm license shall result in a violation of this order and may result in criminal conviction under the Uniform Firearms Act, 18 Pa. C.S.A. §6105.

Notice: Even if this order does not direct you to relinquish firearms, you may be subject to federal firearms prohibitions and federal criminal penalties under 18 U.S.C. §922(g)(8).

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. YOU HAVE THE RIGHT TO HAVE A LAWYER REPRESENT YOU AT THE HEARING. THE COURT WILL NOT, HOWEVER, APPOINT A LAWYER FOR YOU. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE. IF YOU CANNOT FIND A LAWYER, YOU MAY HAVE TO PROCEED WITHOUT ONE.

Bucks County Bar Association
135 East State Street
Doylestown, PA 18901
800-273-2929

BY THE COURT:

Date: _____ _____**J.**

PETITION FOR PROTECTION FROM ABUSE ORDER

IN THE COURT OF COMMON PLEAS OF BUCKS COUNTY, PENNSYLVANIA
A06-

1. PLAINTIFF

First	Middle	Last	Plaintiff's DOB

Plaintiff's Address:

☐ Plaintiff's address is confidential or ☐ Plaintiff's address is:

V.

2. DEFENDANT

First	Middle	Last	Suffix

Defendant's Address:

CAUTION:

- ☐ **Weapon Involved**
- ☐ **Weapon Present on the Property**
- ☐ **Weapon Requested Relinquished**

DEFENDANT IDENTIFIERS			
DOB		HEIGHT	
SEX		WEIGHT	
RACE		EYES	
HAIR			
SSN			
DRIVER'S LICENSE #			
EXP DATE		STATE	

Defendant's place of employment is:

☐ Check here if you have reason to believe that Defendant is a licensed firearms dealer; is employed by a licensed firearms dealer or manufacturer; is employed as a writer, researcher or technician in the firearms or hunting industry; or is required to carry a firearm as a condition of employment.

3. I am filing this Petition on behalf of: ☐ Myself and/or ☐ Another Person

If you checked "myself", please answer all questions referring to yourself as "Plaintiff". If you ONLY checked "another person", please answer all questions referring to that person as the "Plaintiff", and provide your name and address here, as filer, unless confidential.

Filer's Name:

First	Middle	Last	Suffix

☐ Filer's address is confidential or ☐ Filer's address is:

If you checked "Another Person", indicate your relationship with Plaintiff:

- ☐ parent of minor Plaintiff(s)
- ☐ applicant for appointment as guardian ad litem of minor Plaintiff(s)
- ☐ adult household member with minor Plaintiff(s)
- ☐ court appointed guardian of incompetent Plaintiff(s)

4. Names(s) of all persons, including minor child/ren who seek protection from abuse:

5. Indicate the relationship between the Plaintiff and the Defendant:

CHECK ALL THAT APPLY:

- ☐ spouse or former spouse of Defendant
- ☐ parent of a child with Defendant
- ☐ current or former sexual or intimate partner with Defendant
- ☐ child of Plaintiff
- ☐ child of Defendant
- ☐ family member related by blood (consanguinity) to Defendant
- ☐ family member related by marriage or affinity to Defendant
- ☐ sibling (person who shares parenthood) of Defendant

☐ **Check here if the Defendant is 17 years old or younger.**

6. Have the Plaintiff and the Defendant been involved in any of the following court actions?
☐ Divorce ☐ Custody ☐ Support ☐ Protection from Abuse

If you checked any of the above, briefly indicate when and where the case was filed, and the court number, if known: _____

_____

7. Has the Defendant been involved in any criminal court action? _____

_____

If you answered "Yes" is the defendant currently on probation or parole? _____

_____

Has Defendant been determined to be a perpetrator in a founded or indicated report under the Child Protective Services Law, 23 Pa.C.S. §§ 6301 - 6386? _____

_____

If you answered Yes, what county's court or child protective services agency issued the founded or indicated report? _____

_____

8. Plaintiff and Defendant are the parents of the following minor child/ren:
Name(s) Age(s) who reside at (list address unless confidential)

_____
_____
_____
_____

9. If Plaintiff and Defendant are parents of any minor child/ren together, is there an existing court order regarding their custody? _____
_____

If you answered "Yes," describe the terms of the order (e.g., primary, shared, legal and/or physical custody): _____
_____

If you answered "yes", in what county and state was the order issued? _____
_____

If you are now seeking an order of child custody as part of this petition, list the following information:

(a) Where has each child resided during the past five years? (Please include the Child's name, Person(s) child lived with, Address unless confidential, and When.)

Child's name Person(s) child Lived with Address, unless confidential When

_____
_____
_____
_____

(b) List any other persons who are known to have or claim a right to custody of each child listed above.

Name Address Basis of Claim

_____
_____
_____
_____

10. The following other minor child/ren presently live with Plaintiff:
Name(s) Age(s) Plaintiff's relationship to child/ren

_____
_____
_____
_____

11. The facts of the most recent incident of abuse are as follows:
Approximate Date: _____
Approximate Time: _____
Place: _____

Describe in detail what happened including any physical or sexual abuse, threats, injury, incidents of stalking, medical treatment sought, and/or calls to law enforcement. (Attach additional sheets of paper if necessary):_____

12. If the Defendant has committed prior acts of abuse against Plaintiff or the minor child/ren, describe these prior incidents, including any threats, injuries, or incidents of stalking, and indicate approximately when such acts of abuse occurred. (attach additional sheets of paper if necessary):

13. (a) Has Defendant used or threatened to use any firearms or other weapons against Plaintiff or the minor child/ren? If so, please describe the use or threatened use below and list on Attachment A to Petition, which is incorporated by reference into this petition, any firearms, other weapons or ammunition Defendant used or threatened to use against Plaintiff and/or the minor child/ren:

_____

_____

_____

(b) Other than the firearms, other weapons or ammunition Defendant used or threatened to use against Petitioner or the minor child/ren, does Defendant, to the best of your knowledge or belief, own or possess any additional firearm, other weapon, ammunition ro any firearm license?

_____

(c) If the answer to (b) above is "yes" list any additional firearm, other weapon or ammunition owned by or in the possession of Defendant on Attachment A to Petition, which is incorporated by reference into this petition.

(d) Plaintiff (check one) ☐ DOES ☐ DOES NOT request that the court order Defendant to relinquish firearms, other weapons or ammunition listed on Attachment A to Petition. If Plaintiff does seek relinquishment, identify on Attachment A to Petition the firearms, other weapons and ammunition Plaintiff requests the court to order Defendant to relinquish.

14. Identify the sheriff, police department or law enforcement agency in the area in which Plaintiff lives that should be provided with a copy of the protection order: _____

_____

15. There is an immediate and present danger of further abuse from the Defendant.

CHECK THE FOLLOWING BOXES ONLY IF THEY APPLY TO YOUR CASE AND PROVIDE THE REQUESTED INFORMATION

- ☐ Plaintiff is asking the court to evict and exclude the Defendant from the following residence: _____

  _____

- ☐ owned by (list owners, if known):_____

- ☐ rented by (list all names, if known): _____

- ☐ Defendant owes a duty of support to Plaintiff and/or minor child/ren:

- ☐ Plaintiff has suffered out-of-pocket financial losses as a result of the abuse described above. Those losses are:_____

  _____

  _____

  _____

  _____

FOR THE REASONS SET FORTH ABOVE, I REQUEST THAT THE COURT ENTER A TEMPORARY ORDER, AND AFTER HEARING, A FINAL ORDER THAT WOULD DO THE FOLLOWING (CHECK ALL FORMS OF RELIEF REQUESTED)

☐ A. Restrain Defendant from abusing, threatening, harassing, or stalking Plaintiff and/or the minor child/ren in any place where Plaintiff and/or the child/ren may be found.

☐ B. Evict/exclude Defendant from Plaintiff's residence and prohibit Defendant from attempting to enter any temporary or permanent residence of Plaintiff.

☐ C. Require Defendant to provide Plaintiff and/or minor child/ren with other suitable housing.

☐ D. Award Plaintiff temporary custody of the minor child/ren and place the following restrictions on contact between Defendant and the child/ren: _____

_____

_____

☐ E. Prohibit Defendant from having any contact with Plaintiff and/or the minor child/ren, either in person, by telephone, or in writing, personally or through third persons, including but not limited to any contact at Plaintiff's school, business, or place of employment, except as the court may find necessary with respect to partial custody and/or visitation with the minor child/ren.

☐ F. Prohibit Defendant from having any contact with Plaintiff's relatives and Plaintiff's children listed in this petition, except as the court may find necessary with respect to partial custody and/or visitation with the minor child/ren. The following persons are Plaintiff's relatives or family and household members that Plaintiff believes require protection from stalking and harassment by Defendant.

Name	Address (optional)	Relationship to Plaintiff

☐ G. Order Defendant to temporarily relinquish the firearms, other weapons, or ammunition listed on Attachment A to Petition, under Defendant's control, or in Defendant's possession, or any firearm license to the sheriff or the appropriate law enforcement agency.

☐ H. Prohibit Defendant from acquiring or possessing firearms for the duration of the order.

☐ I. Order Defendant to pay temporary support to Plaintiff and/or the minor child/ren, including medical support and ☐ payment of the rent or mortgage on the residence.

☐ J. Direct Defendant to pay Plaintiff for the reasonable financial losses suffered as the result of the abuse, to be determined at the hearing.

☐ K. Order Defendant to pay the costs of this action, including filing and service fees.

☐ L. Order Defendant to pay Plaintiff's reasonable attorney's fees.

☐ M. Order the following additional relief, not listed above:

_____

_____

_____

☐ N. Grant such other relief as Plaintiff requests and/or the court deems appropriate.

☐ O. Order the police, sheriff or other law enforcement agency to serve the Defendant with a copy of this petition, any order issued, and the order for hearing. Plaintiff will inform the designated authority of any addresses, other than the Defendant's residence, where Defendant can be served.

☐ P. Direct the Pennsylvania State Police, the municipal police, or the sheriff to accompany Plaintiff to his or her residence to retrieve personal belongings or accompany Plaintiff while the petition or order is served on Defendant, if Plaintiff has reason to believe his or her safety is at risk.

VERIFICATION

I verify that I am the petitioner as designated in the present action and that the facts and statements contained in the above Petition are true and correct to the best of my knowledge. I understand that any false statements are made subject to the Penalties of 18 Pa. C.S.A. §4904, relating to unsworn falsification to authorities.

_____

Signature

_____

Date

_____	: IN THE COURT OF COMMON PLEAS
Plaintiff	: OF BUCKS COUNTY,PENNSYLVANIA
	:
	:
v.	:A06-_____
	:
	:
	:
_____	:
Defendant	:
	:

ATTACHMENT A TO PETITION
FIREARMS, OTHER WEAPONS AND AMMUNITION INVENTORY

I, _____, Plaintiff in this Protection from Abuse Action, hereby

____ (a) state that Defendant used or threatened to use the following firearms, other weapons and ammunition against Plaintiff and/or the minor child/ren (include addresses or locations, if known, such as "front seat of blue truck", "gun cabinet", "bedroom closet", etc.)

Request Relinquishment	Firearm/Other Weapon/Ammunition	Location
1.☐	_____	_____
2.☐	_____	_____
3.☐	_____	_____
4.☐	_____	_____
5.☐	_____	_____

____ (b) state that Defendant, to the best of my knowledge or belief, owns or possesses the following firearms, other weapons or ammunition not set forth in (a) above (include addresses or locations if, known):

Request Relinquishment	Firearm/Other Weapon/Ammunition	Location
1.☐	_____	_____
2.☐	_____	_____
3.☐	_____	_____
4.☐	_____	_____
5.☐	_____	_____

_____ (c) request that the court order Defendant to relinquish the following firearms, other weapons, and ammunition (include addresses or locations, if known):

Request Relinquishment	Firearm/Other Weapon/Ammunition	Location
1.☐	_____	_____
2.☐	_____	_____
3.☐	_____	_____
4.☐	_____	_____
5.☐	_____	_____

_____ All firearms, other weapons and ammunition owned or possessed by Defendant.

Additional Notes:_____

Name: _____Date: _____

NOTICE: This attachment will be withheld from public inspection in accordance with 23 Pa. C.S.A. §6108 (a)(7)(v)

SERVICE INFORMATION FORM
SHERIFF'S OFFICE USE ONLY

If you want the Sheriff's to make service, complete this form accurately and deliver it to the Sheriff's Office located on Level B2 of the Bucks County Justice Center, 100 N. Main Street, Doylestown, PA along with your petition, Protection Order and the notice of the court hearing.

Please note that if your hearing is postponed and rescheduled, you must again complete this form accurately and deliver it to the Sheriff's Office, along with your NEW Notice of Hearing, petition and any Protection Order.

Plaintiff's Name: _____ I can be contacted by the following:

Address: (unless confidential) _____

Phone number: (home or cell) _____

Defendant's Name: _____

Description: Date of Birth (required): _____ Sex: _____ Race: _____

Height: _____ Weight: _____ Hair Color: _____ Eye color: _____

IMPORTANT: State a full and complete address, which includes: home number, apt. number, complete street name; city state and zip code. If the Defendant is in a Correctional Facility, please provide the name of the facility and address, along with a possible second (2nd) address in case the Defendant is released prior to the Sheriff attempting service.

The information provided is used to attempt service on the Defendant: If work address, please list company name, address and hours Defendant works. *please print clearly*

Address: _____

Alternate Address: _____

Phone Number: _____

Deputized Service to another county in PA, *please provide County Name for the Sheriff's Office (required)*

_____

Deputizing Service to another State, ***please*** *provide the following information: (required)*

_____

Sheriff's Office/Police Department Phone Number Fax Number

_____,	: IN THE COURT OF COMMON PLEAS
PLAINTIFF	: BUCKS COUNTY, PENNSYLVANIA
V.	:
	:
	: CASE NO. _____
_____	
DEFENDANT	:
_____	:
Address	: CIVIL ACTION – LAW
_____	:
City State Zip Code	: PROTECTION FROM ABUSE

AFFIDAVIT OF SERVICE

I, _____, hereby state that I have served the above captioned matter by handing a copy of the:

[ ] Hearing Notice [ ] Temporary order [ ] Petition

[ ] Rule to Show Cause [ ] Order of Court: _____

to _____ who is the

[ ] Defendant [ ] Plaintiff [ ] Adult Family Member [ ] Adult in Charge

[ ] Other: _____ at the following address

_____on the

_____day of _____, 20___, at approximately: _____hrs.

I verity that the statements made in this Affidavit are true and correct to the best of my knowledge and belief. I understand that false statements herein are made subject to the penalties of 10 Pa. C.S. 4904, relating to unsworn falsification to authorities.

[ ] Unable to make service on Defendant. Explain:

_____

_____

Additional Enforcement Actions or Notations:

_____

_____

_____	_____
Title of Person Who Served the papers	**Agency**
_____	_____
Signature	**Date**

3.19/dm

TEMPORARY PROTECTION FROM ABUSE ORDER

☐ Amended Order ☐ Continued Order

IN THE COURT OF COMMON PLEAS OF BUCKS COUNTY, PENNSYLVANIA
A06-

PLAINTIFF

First	Middle	Last	Plaintiff's DOB

Name(s) of all protected persons, including minor child/ren and DOB:

V.

DEFENDANT

First	Middle	Last	Suffix

Defendant's Address:

DEFENDANT IDENTIFIERS			
DOB		HEIGHT	
SEX		WEIGHT	
RACE		EYES	
HAIR			
SSN			
DRIVER'S LICENSE #			
EXP DATE		STATE	

CAUTION:

- ☐ **Weapon Involved**
- ☐ **Weapon Present on the Property**
- ☐ **Weapon Ordered Relinquished**

The Court Hereby Finds: That it has jurisdiction over the parties and subject matter, and the Defendant will be provided with reasonable notice and opportunity to be heard.

The Court Hereby Orders:

- ☐ Defendant shall not abuse, harass, stalk or threaten any of the above persons in any place where they might be found.
- ☐ Except for such contact with the minor child/ren as may be permitted under paragraph 5 of this order, Defendant shall not contact Plaintiff, or any other person protected under this order, by telephone or by any other means, including through third persons.
- ☐ Additional findings of this order are set forth below.

Order Effective Date **Order Expiration Date**

NOTICE TO THE DEFENDANT

Defendant is hereby notified that violation of this order may result in arrest for indirect criminal contempt, which is punishable by a fine of up to $1,000 and/or up to six months in jail. 23 Pa.C.S.A. §6114. Consent of Plaintiff to Defendant's return to the residence shall not invalidate this order, which can only be changed or modified through the filing of appropriate court papers for that purpose. 23 Pa.C.S.A.§6108(g). If Defendant is required to relinquish any firearms, other weapons or ammunition or any firearm license, those items must be relinquished to the sheriff within 24 hours of the service of this order. As an alternative, Defendant may relinquish any firearm, other weapon or ammunition listed herein to a third party provided Defendant and the third party first comply with all requirements to obtain a safekeeping permit. If, due to their current location, firearms, other weapons or ammunition cannot reasonably be retrieved within the time for relinquishment, Defendant shall provide an affidavit to the sheriff listing the firearms, other weapons or ammunition and their current location no later than 24 hours after the service of this order. Defendant is further notified that violation of this order may subject him/her to state charges and penalties under the Pennsylvania Crimes Code and to federal charges and penalties under the Violence Against Women Act, 18 U.S.C §§2261-2262.

AND NOW, on _____upon consideration of the attached Petition for Protection From Abuse the court hereby enters the following Temporary Order:

☐ Plaintiff's request for a Temporary Protection Order is **denied**.

☐ Plaintiff's request for a Temporary Protection Order is **granted**.

☐ 1. Defendant shall not abuse, harass, stalk or threaten any of the above persons in any place where they might be found.

☐ 2. Defendant shall be evicted and excluded from the residence at: _____

_____

(NONCONFIDENTIAL ADDRESS FROM WHICH DEFENDANT IS EXCLUDED) or any other permanent or temporary residence where Plaintiff or any other person protected under this order may live. Plaintiff is granted exclusive possession of the residence. Defendant shall have no right or privilege to enter or be present on the premises of Plaintiff or any other person protected under this order.

☐ 3. Except for such contact with the minor child/ren as may be permitted under paragraph 5 of this order, Defendant is prohibited from having ANY CONTACT with Plaintiff, or any other person protected under this order, either directly or indirectly, at any location, including but not limited to any contact at Plaintiff's or other protected party's school, business, or place of employment. Defendant is specifically ordered to stay away from the following locations for the duration of this order:

_____

_____

_____

☐ 4. Except for such contact with the minor child/ren as may be permitted under paragraph 5 of this order, Defendant shall not contact Plaintiff, or any other person protected under this order, by telephone or by any other means, including through third persons.

☐ 5. CUSTODY

☐ There is a custody order as to the child/ren of the parties:

_____

(Enter the county court and docket number.)

☐ THIS ORDER SHALL NOT SUPERSEDE THE CURRENT CUSTODY ORDER.

☐ THIS ORDER SUPERSEDES ANY PRIOR ORDER RELATING TO CHILD CUSTODY.

☐ Until the final hearing, all contact between Defendant and the child/ren shall be limited to the following:

_____

_____

_____

☐ Pending the outcome of the final hearing in this matter, Plaintiff is awarded temporary custody of the following minor child/ren:

_____

_____

_____

The local law enforcement agency and the sheriff in the jurisdiction where the child/ren are located shall ensure that the child/ren are placed in the care and control of the Plaintiff in accordance with the terms of this order.

☐ 6. FIREARMS, OTHER WEAPONS AND AMMUNITION RESTRICTIONS
(Check all that apply.)

☐ Defendant is prohibited from possessing transferring or acquiring any firearms for the duration of this order.

☐ Defendant shall relinquish to the sheriff the following firearms licenses owned or possessed by Defendant.

_____

☐ Defendant is directed to relinquish to the sheriff any firearm, other weapon or ammunition listed in Attachment A to Temporary Order, which is incorporated herein by references.

Defendant may relinquish any firearms, other weapons or ammunition to the sheriff. As an alternative, Defendant may relinquish firearms, other weapons and ammunition to a third party provided Defendant and the third party first comply with all the requirements to obtain a safekeeping permit. Defendant must relinquish any firearm, other weapon, ammunition or firearms license ordered to be relinquished no later than 24 hours after service of this order. If, due to their current location, firearms, other weapons or ammunition cannot reasonably be retrieved within the time for relinquishment, Defendant shall provide to the sheriff an affidavit listing the firearms, other weapons or ammunition and their current location no later than 24 hours after service of this order. Failure to timely relinquish any firearm, other weapon, ammunition or any firearm license shall result in a violation of this order and may result in criminal conviction under the Uniform Firearms Act, 18 Pa. C.S.A. §6105.

☐ 7. The following additional relief is granted:

☐ Defendant is prohibited from stalking, as defined in 18 Pa.C.S.A. §2709.1, or harassing, as described in 18 Pa.C.S.A. §2709, the following family and household members of Plaintiff:

1._____ _____
Name Relationship to Plaintiff

_____
Address (optional)

2._____
Name Relationship to Plaintiff

_____
Address (optional)

3._____ _____
Name Relationship to Plaintiff

_____
Address (optional)

☐ (Other relief)

_____
_____
_____

☐ 8. The Pennsylvania State Police, the municipal police, or the sheriff shall accompany Plaintiff to his or her residence to retrieve personal belongings or accompany Plaintiff while the petition or order is served on Defendant.

☐ 9. A certified copy of this order shall be provided to the sheriff or police department where Plaintiff resides and any other agency specified hereafter: _____

_____

☐ 10. The sheriff, police or other law enforcement agencies are directed to serve Defendant with a copy of the petition, any order issued, and the order for hearing. Petitioner will inform the designated authority of any addresses, other than Defendant's residence, where Defendant can be served.

☐ 11. THIS ORDER SUPERSEDES ANY PRIOR PROTECTION FROM ABUSE ORDER OBTAINED BY THE SAME PLAINTIFF AGAINST THE SAME DEFENDANT.

☐ 12. THIS ORDER APPLIES IMMEDIATELY TO DEFENDANT AND SHALL REMAIN IN EFFECT UNTIL: _____ OR UNTIL OTHERWISE MODIFIED OR TERMINATED BY THIS COURT AFTER NOTICE AND HEARING.

NOTICE TO THE DEFENDANT

Defendant is hereby notified that violation of this order may result in arrest for indirect criminal contempt, which is punishable by a fine of up to $1,000 and/or up to six months in jail. 23 Pa.C.S.A. § 6114. Consent of Plaintiff to Defendant's return to the residence shall not invalidate this order, which can only be changed or modified through the filing of appropriate court papers for that purpose. 23 Pa.C.S.A. § 6108 (g). If Defendant is required to relinquish any firearms, other weapons or ammunition or any firearm license, those items must be relinquished to the sheriff within 24 hours of the service of this order. As an alternative, Defendant may relinquish any firearm, other weapon or ammunition listed herein to a third party provided Defendant and the third party first comply with all requirements to obtain a safekeeping permit. If, due to their current location, firearms, other weapons or ammunition cannot reasonably be retrieved within the time for relinquishment, Defendant shall provide an affidavit to the sheriff listing the firearms, other weapons or ammunition and their current location no later than 24 hours after the service of this order. Defendant is further notified that violation of this order may subject him/her to state charges and penalties under the Pennsylvania Crimes Code and to federal charges and penalties under the Violence Against Women Act, 18 U.S.C. § § 2261-2262.

NOTICE TO SHERIFF, POLICE AND LAW ENFORCEMENT OFFICIALS

This order shall be enforced by the police department or sheriff who has jurisdiction over Plaintiff's residence OR any location where a violation of this order occurs OR where Defendant may be located. If Defendant violates Paragraphs 1 through 6 of this order, Defendant shall be arrested on the charge of indirect criminal contempt. An arrest for violation of this order may be made without warrant, based solely on probable cause, whether or not the violation is committed in the presence of a police officer or sheriff. Subsequent to an arrest, the law enforcement officer or sheriff shall seize all firearms, other weapons and ammunition in Defendant's possession which were used or threatened to be used during the violation of the protection order or during prior incidents of abuse and any other firearms in Defendant's possession. Any firearm, other weapon, ammunition or any firearm license must be delivered to the sheriff's office of the county which issued this order, which office shall maintain possession of the firearms, other weapons and ammunition until further order of this court, unless the weapon/s are evidence of a crime, in which case, they shall remain with the law enforcement agency whose officer or sheriff made the arrest.

BY THE COURT:

_____ _____

Judge Date

_____	: IN THE COURT OF COMMON PLEAS
Plaintiff	: OF BUCKS COUNTY,PENNSYLVANIA
	:
v.	:A06-_____
	:
_____	:
Defendant	:

ATTACHMENT A TO TEMPORARY PFA ORDER
FIREARMS, OTHER WEAPONS AND AMMUNITION INVENTORY

It is hereby ordered that Defendant relinquish the following firearms, other weapons, and ammunition to the sheriff:

Firearm/Other Weapon/Ammunition	Location
1._____	_____
2._____	_____
3._____	_____
4._____	_____
5._____	_____
6._____	_____
7._____	_____
8._____	_____
9._____	_____
10._____	_____

☐ All firearms, other weapons and ammunition owned or possessed by Defendant.

Additional Notes:_____

BY THE COURT

Judge _____ Date: _____

NOTICE: This attachment will be withheld from public inspection in accordance with 23 Pa. C.S.A. §6108 (a)(7)(v).