

Huntingdon County, Pennsylvania

# Pro Se Protection From Abuse Order Packet

## **Disclaimer**

*Please note that court staff is **not** able to give you legal advice nor help you fill out or complete these forms. If you wish to obtain legal advice or the services of an attorney but do not know whom to contact, please call the Pennsylvania Lawyer Referral Service at 1-800-692-7375.*

# **About Protection From Abuse Orders<sup>1</sup>**

## **What is a PFA Order?**

A PFA order from a court gives protective "relief" for a victim (and sometimes children) for up to three years. A person can file for a PFA order from the court for themselves or on behalf of their children who are under age eighteen. A PFA order describes certain things the abuser must do or is forbidden to do in regard to a victim, and can include many kinds of protection. For example, a PFA order can make it illegal for the abuser to contact, harass and abuse the victim and the victim's children.

## **Who can ask for a PFA Order?**

In order for the court to consider and grant a Protection From Abuse Order, the acts of abuse must occur between people who have one of the following types of relationships:

- Spouses or ex-spouses, or persons acting as spouses
- Parents
- Children
- Persons related by blood or marriage (including brothers/sisters)
- Current or former sexual or intimate partners (including dating relationships)

The PFA Act does not cover abuse by a stranger or a roommate that the victim is not intimately involved with.

## **What is abuse?**

According to the Protection From Abuse Act, the term "abuse" is defined as the occurrence of one or more of the following acts:

- Attempting to cause or intentionally, knowingly or recklessly causing bodily injury, serious bodily injury, rape, involuntary deviate sexual intercourse, sexual assault, statutory sexual assault, aggravated indecent assault, indecent assault or incest with or without a deadly weapon.
- Placing another in reasonable fear of imminent serious bodily injury.
- The infliction of false imprisonment
- Physically or sexually abusing minor children
- Knowingly engaging in a course of conduct that place the person in reasonable fear of bodily injury (including stalking)

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<sup>1</sup> Source: <http://www.pcadv.org/Learn-More/Domestic-Violence-Topics/Protection-From-Abuse/>

# **Instructions for Filing for a Protection From Abuse Order**

## **What papers will I need to file?**

1. Huntingdon County Sheriff's Department PFA Info Form
2. Petition for Protection From Abuse
3. Proposed Temporary Protection From Abuse Order
4. Notice of Hearing

## **Step 1: Complete the Sheriff's Department PFA Info Form**

1. Disregard the section labeled "Case Number". The Prothonotary's office will complete this portion of the form.
2. The top section of the form consists of information about the plaintiff. Complete this section by filling in the lines with your information.
3. The remaining sections of the form consist of information regarding the defendant. Complete these sections to the best of your knowledge and as thoroughly as possible.

## **Step 2: Complete the Petition for Protection From Abuse**

1. Section 1-Plaintiff: You are the Plaintiff. Complete this section by writing your first, middle, and last names and your date of birth in the space provided. If you are staying at a safe or confidential location and you do not wish to disclose the address, check the box that indicating that the plaintiff's address is confidential. If not, check the box and list your address on the designated line.
2. Section 2-Defendant: Complete this section by filling in the blanks with the requested information about the abuser ("the defendant"). If you do not know an answer, leave the space blank. Also indicate in the provided spaces whether a weapon was involved, if a weapon is present on the property, and if you are requesting for relinquishment of weapons. If the defendant is a licensed firearms dealer or required to carry a weapon as a condition of employment, indicate so by checking the box.
3. Section 3-If you are filing the petition only for yourself, check only the box beside "myself." If you are filing only for another person, check the box beside "Another Person." If you are filing this petition for yourself AND another person, check both boxes. If your petition is for or includes "Another Person", indicate your relationship with that person by checking the appropriate boxes. If you are filing ONLY for another person, complete the sections regarding the Filer's information with your own information. From this point forward, you will answer the remaining questions regarding the "plaintiff" with the information about the person for which you are filing the petition.
4. Section 4: List all names of the people for whom you are seeking a protection order.

5. Section 5: Indicate the relationships that may apply between you (and any other protected person listed in the above section) and the defendant. If the defendant is 17 years or younger, indicate so by checking the box.
6. Sections 6-7: Answer the questions regarding prior court actions involving the defendant to the best of your knowledge.
7. Sections 8-9: If you and the defendant have any children together, fill in the blanks with the requested information about those children.
8. Section 10: Complete the information about any other children (NOT children of the defendant) who live with you.
9. Section 11: Complete the information describing the most recent incident of abuse toward you or any minor children listed on the petition. You may attach additional pages if necessary. Be sure to indicate the date, time, and place of the incident in the appropriate spaces on the form.
10. Section 12: Use this space to detail prior acts of abuse committed by the defendant against you or any minor children listed on this petition. You may attach additional pages if necessary.
11. Section 13a: Indicate whether the defendant has used or threatened to use any firearms or other weapons against you or your minor children, and describe how these items were used during the abuse.
12. Section 13b: Indicate whether the defendant owns or possesses any additional firearms, other weapons, ammunition and/or any firearm licenses, and if the answer is “yes”, then proceed to section 13c.
13. Section 13c: list any additional firearms, weapons or ammunition on the Attachment A petition.
14. Section 13d: Check the box to indicate whether you want the court to order the defendant to relinquish firearms, firearm licenses, other weapons or ammunition. **If you are requesting relinquishment of firearms, other weapons, firearm licenses, or ammunition, you MUST list these items on the Attachment A to Petition form.**
15. Section 14: List any police departments that should get a copy of the PFA Order (Huntingdon Borough Police, Huntingdon County Sheriff’s Department, Mount Union Borough Police, etc.).
16. Section 15: Indicate additional relief requested. If you are requesting eviction, complete the information about the residence.
17. Check the boxes indicating what you want the judge to order.
18. Finally, sign and date the petition on the last page.

### **Completing the Proposed Temporary PFA Order**

1. Using the Petition as a reference, complete the Plaintiff information including the names of all protected parties listed in the petition.
2. Using the Petition as a reference, complete the defendant information. Indicate whether a weapon was involved, if a weapon is present on the property, and if you are

requesting for relinquishment of weapons. **Note: If you requested the relinquishment of weapons in the petition, you must fill out the Attachment A Form.**

3. The judge hearing your case will complete the remainder of the form.

**What is the filing process at the courthouse?**

1. Take this entire packet to Huntingdon County Court Administration, 223 Penn Street, 2<sup>nd</sup> Floor, Huntingdon, PA, for an Emergency PFA Hearing.
2. There will be an Emergency PFA Hearing in front of the Common Pleas Judge.
3. If the Emergency PFA is granted, another hearing will be scheduled in which the defendant will be required to appear before the Court to determine if a Final PFA Order should be entered.
4. Finally, the Petition for Protection from Abuse and the Temporary Order granting the Protection from Abuse will be filed in the Huntingdon County Prothonotary's office.

<b>PETITION FOR PROTECTION FROM ABUSE</b>	IN THE COURT OF COMMON PLEAS OF _____ COUNTY, PENNSYLVANIA NO. _____
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**1. PLAINTIFF**

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First Middle Last Plaintiff's DOB

Plaintiff's Address:

Plaintiff's address is confidential or  Plaintiff's address is: \_\_\_\_\_

**V.**

**2. DEFENDANT**

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First Middle Last Suffix

Defendant's Address:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

DEFENDANT IDENTIFIERS			
DOB		HEIGHT	
SEX		WEIGHT	
RACE		EYES	
HAIR			
SSN			
DRIVERS LICENSE #			
EXP DATE		STATE	

**CAUTION:**

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

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:

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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. Name(s) of All persons, including minor child/ren who seek protection from abuse:

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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? \_\_\_\_\_

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):

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

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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
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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**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 Plaintiff or the minor child/ren, does Defendant, to the best of your knowledge or belief, own or possess any additional firearm, other weapon, ammunition or 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 some or all of the firearms, other weapons and/or ammunition listed on Attachment A to Petition and any firearm license to the sheriff of this county and/or prohibit Defendant from transferring, acquiring, or possessing some or all firearms for the duration of the order.
- H. 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.
- I. Direct Defendant to pay Plaintiff for the reasonable financial losses suffered as the result of the abuse, to be determined at the hearing.
- J. Order Defendant to pay the costs of this action, including filing and service fees.
- K. Order Defendant to pay Plaintiff's reasonable attorney's fees.
- L. Order the following additional relief, not listed above: \_\_\_\_\_

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

N. 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.

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

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Signature

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Date



Request Relinquishment	Firearm/Other Weapon/Ammunition	Location
1. <input type="checkbox"/>	_____	_____
2. <input type="checkbox"/>	_____	_____
3. <input type="checkbox"/>	_____	_____
4. <input type="checkbox"/>	_____	_____
5. <input type="checkbox"/>	_____	_____

\_\_\_\_ 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).



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.

**County Lawyer Referral Service:**

Agency Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Phone: (\_\_\_\_) \_\_\_\_\_

Distribution to: \_\_\_\_\_



<b>TEMPORARY PROTECTION FROM ABUSE ORDER</b> <input type="checkbox"/> Amended Order <input type="checkbox"/> Continued Order	IN THE COURT OF COMMON PLEAS OF _____ COUNTY, PENNSYLVANIA NO. _____
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**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			
DRIVERS 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. A certified copy of this order shall be provided to the sheriff or police department where Plaintiff resides and any other agency specified hereafter: \_\_\_\_\_

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

10.  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