

## **Protection From Abuse Orders**

### **What is Abuse?**

According to the Protection From Abuse Act, the definition of abuse is ANY of the following:

1. Attempting to, or intentionally or recklessly causing bodily injury, serious bodily injury, rape, spousal sexual assault or involuntary deviate sexual intercourse with or without a deadly weapon.
2. Placing another, by physical threat, in fear of serious bodily injury;
3. False imprisonment, as defined under the crimes code;
4. Physically or sexually abusing minor children; and/or
5. Stalking a person and placing that person in reasonable fear of bodily injury.

### **What is a Protection From Abuse Order?**

A civil court order, for victims of Domestic Violence, ordering the abuser to refrain from harming the victim. An order (PFA) can last for up to 18 months.

### **Who Qualifies For A Protection Order?**

You can file for a protection order if the person who has or is trying to harm you is:

1. or was your spouse;
2. or was living with you in a common-law marriage or as your boyfriend/girlfriend;
3. the parent of your child;
4. your child;
5. or was a sexual or intimate partner;
6. your parent; or
7. related to you by blood or marriage.

If the abused person is a minor, then a parent, adult household member or guardian ad litem can file on behalf of the child.

### **What Relief You May Be Able To Receive With The Order?**

*A Protection From Abuse Order can:*

- ◆ Direct the abuser to not abuse, harass, threaten or stalk you or your relatives.
- ◆ Direct the abuser to stay away from the house or apartment where you live, even if it is also the abuser's home.
- ◆ Direct the abuser to stay away from your school or your place of employment.
- ◆ Prohibit the abuser from having any guns or gun permits.
- ◆ Direct the abuser to pay you for losses resulting from abuse; including medical bills and lost wages.
- ◆ Direct the abuser to attend a batterer's counseling program and allow the judge to grant any other relief deemed necessary to bring an end to the abusive situation.
- ◆ Give temporary custody to the abused parent.

### **How Much Does It Cost To Obtain A PFA?**

There is no initial court cost to file for a Protection From Abuse Order. Further costs, if any, vary depending on the income of the individual filing.

### **Will My Protection Order Be Enforced In Another County?**

Yes. The Pennsylvania State Police maintains a registry of all Protection From Abuse Orders issued throughout the Commonwealth. The police will enforce a valid protection order that is issued in any county in Pennsylvania. Protection From Abuse Orders are enforceable in all 50 states, the District of Columbia, Tribal Lands, United States territories and the Commonwealth of Puerto Rico.

### **What Happens If The Abuser Violates The Order?**

You should immediately call the police and report the violation. An abuser charged with the contempt of a Protection From Abuse Order can face charges for the acts committed that were in violation of the order. The court can find the abuser in contempt and sentence him or her to prison for up to 6 months and/or fine the abuser \$100 to \$1000.

### **What Help Is Available At Night, On Weekends, Or On Holidays?**

In an emergency situation, if you have been assaulted, contact your local police department. If you are in immediate and present danger of abuse, you may be eligible for an emergency Protection From Abuse Order issued through the District Magistrate.

For more information about filing for a Protection From Abuse Order or to set up an appointment, call the **Wise Options 24 Hour Crisis Hotline at: (570) 323-8167 or 1-800-326-8483. All services are FREE and Confidential.**

(\*This entire document was created from a brochure from YWCA Wise Options)