

PROTECTION FROM ABUSE IN PHILADELPHIA COUNTY

If you or someone in your household is being abused, this brochure may help you learn how to seek protection in Philadelphia Family Court.

WHAT IS ABUSE?

State law defines abuse as:

- Attempting or causing physical injury
- Placing another in reasonable fear of imminent serious bodily injury
- Sexual assault
- False Imprisonment
- Stalking

WHAT PROTECTION CAN YOU ASK THE COURT TO ORDER?

The Court can order the defendant to:

- stop abusing, stalking, threatening, and harassing you,
- not to have any contact with you and your children, including at work or school,
- Stay away from the victim's residence, even if it is also the defendant's residence
- Turn weapons over to the police or sheriff or other person authorized by law to accept them.

The order can also include:

- Temporary child custody
- Temporary child support
- Payments to the victim for reasonable losses
- Plaintiff's counsel fees

HOW LONG DOES A PFA LAST?

A court may issue a Final PFA for up to 36 months. The court can sometimes extend the PFA for additional time (for example, if there has been additional abuse after the order was entered).

WHO CAN ASK FOR A PFA ORDER?

A PFA Order is available to anyone abused by a:

- Current or former spouse
- Parent
- Child
- Current or former sexual or intimate partner, such as a boyfriend/girlfriend or father/mother of your children
- Others related by blood or marriage

*** SAFETY TIP * IF YOU ARE IN DANGER,
CALL 911 IMMEDIATELY**
Call the police if the order is violated and show the officers the order.

WHO MAY FILE IN PHILADELPHIA?

A PFA action may be filed in Philadelphia County if it is the county in which:

- the plaintiff lives or is employed, or
- the defendant may be served, or
- the abuse occurred.

If possession of the residence to the exclusion of the defendant is requested, the action must be filed in the county where the residence is located.

WHERE DO YOU FILE FOR A PFA ORDER?

Monday through Friday, you may file a petition for a PFA in the Domestic Violence Intake Unit at Family Court at 1501 Arch Street, 8th Floor, Philadelphia.

There is no fee.

The Unit will help you prepare and file your petition if you do not have a lawyer. Language interpretation services are available at the filing unit and at the hearing. To ask for an interpreter at your hearing, fill out the Interpreter Request Form at the filing unit.

The Unit is open from 8a.m. to 3 p.m. **However, you should arrive by 8 a.m. and be prepared to wait your turn.** If you arrive after 12 p.m. there may not be time to get your petition prepared and filed that day. Information is available by telephone 24 hours a day at 215-686-3512.

You may also prepare your own forms completing forms available at

<https://www.courts.phila.gov/forms/> under *Court of Common Pleas Family Court-Domestic Relations* and taking the forms to the Domestic Violence Unit.

IS HELP AVAILABLE AT NIGHT, ON WEEKENDS OR HOLIDAYS?

Family Court is closed between 5 pm and 8 am on weekdays and 24 hours on weekends. If you are in danger of abuse during that time, you may file a request for an emergency PFA order at the Criminal Justice Center, Room B-03 at 1301 Filbert Street, Philadelphia, PA (215-683-7280).

See Brochure *Philadelphia Emergency Domestic Violence Site* to learn how to obtain an emergency PFA order in Philadelphia.

*** SAFETY TIP ***
**KEEP A COPY OF THE PROTECTION
ORDER WITH YOU AT ALL TIMES AND
IN YOUR CAR, YOUR HOME,
AND PLACE OF EMPLOYMENT**

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WHAT HAPPENS AFTER YOU FILE A PETITION FOR A PFA?

The same day you file your petition, a judge will review it and hold a short hearing to decide whether to issue a temporary order. Be ready to answer questions from the judge about your petition. The judge will also schedule a hearing that must be held within 10 days to determine whether to grant a final PFA.

The Temporary Order, Petition, and Notice to Appear must be given to the defendant (this is called “service”). After completion of the initial PFA filing process at 1501 Arch Street, deputies from the Philadelphia Sheriff’s Office will attempt service on your behalf as long as the court has a valid address listed for the Respondent. **If you do not wish for the Sheriff’s Office to serve or you need to find out if service was made, call 215-686-3542.** If service was not made (or you filed at the Emergency Filing Site) take all the papers the court gave you to the Philadelphia Police District Headquarters where the Defendant can be found (residence, work, etc.) and ask an officer to serve the PFA order. In addition, any responsible adult *who is not a party or related to a party* may serve the papers. The person who serves the papers on the Defendant must complete, sign and return the original Affidavit of Service to you. The Defendant does not need to sign the Affidavit of Service. You must bring this original Affidavit of Service to court on your hearing date. **Go to the hearing even if the defendant has not been served with the papers.** You will receive a new court date so service can be made.

WHAT HAPPENS AT THE HEARING?

The judge will listen to both parties and decide whether to issue a final order. The parties will also be given an opportunity to reach an agreement on the order. The judge may reschedule the hearing if you cannot prove the Defendant was served properly and/or for other reasons, including where the Defendant asks for time to get a lawyer. Any temporary order would remain in place until the next hearing date.

HOW TO PREPARE FOR THE HEARING?

- You can hire an attorney to represent you.
- A domestic violence counselor may assist you.
- Plan to testify about the facts in your petition.
- Prepare to tell the judge what relief you are requesting (see Page 1).
- Bring written evidence, such as medical records, medical bills, repair bills, or photos of injuries.
- Bring eyewitnesses to testify if they have firsthand knowledge of the incidents of abuse.

- You can subpoena witnesses you may not want to appear at court. You can get a subpoena on the 11th Floor of the Family Court at 1501 Arch Street. Fill in the subpoena and give it to your witness before the date of the hearing. You may want to prepare

and bring with you a list of questions to ask your witnesses.

HOW DO YOU ENFORCE A PFA?

It is a crime to violate a PFA. Call the police right away. Keep a copy of the PFA order with you, in your car, in your home, and in your workplace, in case you need to call the police. The District Attorney is responsible for prosecuting anyone who is arrested for violating a PFA.

You may also file a petition for civil contempt at the Domestic Violence Filing Unit on the 8th floor of Family Court at 1501 Arch Street, Philadelphia between 8 am and 4 pm. There is no fee.

After you file the petition, a hearing will be scheduled. If a judge finds the defendant guilty of violating the PFA, the defendant can be sentenced to prison for up to 6 months and/or fined up to \$1000. The court can also extend your protection order.

IS HELP AVAILABLE?

**PHILADELPHIA DOMESTIC VIOLENCE HOTLINE
1-866-SAFE 014 (1-866-723-3014)**

Legal representation may be available from:

- **WOMEN AGAINST ABUSE LEGAL CENTER:** 215-686-7082 www.womenagainstabuse.org
- **PHILADELPHIA LEGAL ASSISTANCE:** 215-981-3800 www.philalegal.org
- **SENIORLAW CENTER:** 215-988-1244
- **LEGAL SERVICE DEPARTMENT OF THE MAZZONI CENTER:** 215-563-0657
- **LEGAL CLINIC FOR THE DISABLED:** 215-587-3350
- **PHILADELPHIA BAR ASSOCIATION LAWYER REFERRAL AND INFORMATION SERVICE:** 215-238-6333; www.Philadelphiabarlawyers.com

Other Important Numbers:

- **WOMEN IN TRANSITION:** 215-751-1111 Counseling
- **LUTHERAN SETTLEMENT HOUSE:** 215-426-8610
- **CONGRESO DE LATINOS UNIDOS:** 215-763-8870
- **KOREAN WOMEN’S CENTER:** 215-869-5703
- **WOMEN’S LAW PROJECT**
<https://www.womenslawproject.org/protection-from-abuse/>

This brochure is meant to give you general information and not legal advice.