

HOW long does a PFA last?

A final order can last up to thirty-six months (three years.) However, a judge can extend the order if it is violated or if the abuser exhibits a pattern of behavior that indicates that the abuse is likely to continue. There is no limit to the number of times an order can be extended.

WHAT if the abuser violates the PFA Order?

If the abuser violates the PFA Order, you should call the police immediately.

The police can arrest the abuser and charge him/her with indirect criminal contempt. If, after a hearing, the judge finds the abuser guilty of violating the order, he/she can be put in jail for up to six (6) months and/or be fined up to \$1,000.

Local Resources

To find help, resources and/or information call:

- MidPenn Legal Services at [1-800-326-9177](tel:1-800-326-9177);
- The National Helpline at [1-800-799-SAFE \(7233\)](tel:1-800-799-SAFE); or
- The PA Coalition Against Domestic Violence (www.pcadv.org).

TO APPLY FOR LEGAL HELP:

1-800-326-9177
or
apply.midpenn.org

For more information about MidPenn Legal Services go to:

www.midpenn.org



This pamphlet contains general legal information and not specific legal advice. Although the information is believed to accurate at the time of preparation, individual situations may require individual analysis, such that it may be advisable to consult with a lawyer. June 2010



MidPenn

LEGAL SERVICES

Protection From Abuse



In Pennsylvania, victims of domestic violence can get protection orders under a law called the Protection From Abuse Act.

ABOUT US

MidPenn Legal Services is a non-profit, public interest law firm that provides high quality free civil legal services to low-income residents and survivors of domestic violence and sexual assault in 18 counties in Central Pennsylvania: Adams, Bedford, Berks, Blair, Centre, Clearfield, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Lancaster, Lebanon, Perry, Mifflin, Schuylkill & York counties.

In Pennsylvania, victims of domestic violence can get protection orders under the Protection From Abuse (PFA) Act. Here is how the PFA Act can help you.

WHAT is Abuse?

- Causing or attempting to cause bodily injury, or sexual assault.
- Placing someone in reasonable fear of imminent serious bodily injury.
- Stalking, which can be when someone is following or harassing over a period of time, which makes the person afraid.
- Physically or sexually abusing a minor child.
- Interfering with an individual's freedom of movement (for example: restraining for a substantial period of time, or false imprisonment).

WHO can ask for a PFA?

Anyone who is being abused by:

- A spouse or former spouse, people who have lived like spouses, or are the parents of a child together.
- A current or former sexual or intimate partner.
- A parent or child.
- A person related by blood or marriage.

Emotional, Mental and Financial abuse are also behaviors abusers often use to control their victims. However, the PFA Act cannot grant relief based solely on these factors.

HOW can a PFA help me?

A PFA Order can do the following:

- Order an abuser not to abuse, threaten, harass or stalk you.
- Evict or exclude the abuser from your residence.
- Prohibit the abuser from contacting you, directly or indirectly
- Prohibit the abuser from stalking or harassing family members who live with you.
- Grant you temporary custody of your minor children.
- Put limits on the defendant's visits with the children, to ensure their safety and yours.

- Grant you temporary child or spousal support
- Prohibit the abuser from having any guns or gun permits.
- Direct the abuser to attend a batterer's counseling program (depending on jurisdiction).
- Direct the abuser to reimburse you for reasonable out-of-pocket expenses you incurred as a result of the abuse.
- You can ask the judge to grant any other relief that is appropriate.

WHEN should I file a PFA?

Everyone's circumstances are different, and if you are considering filing for a PFA you may want to speak with a Domestic Violence Counselor or an attorney to be sure you can do so safely and effectively. If you need an Emergency PFA (EPFA) at night or on a weekend, call your local police. A Magisterial District Judge (MDJ) can grant you an EPFA after business hours.

Some things to consider when filing for a PFA:

- The timing of the most recent incident of abuse.
- Has the abuse been getting worse recently?
- Will filing for a PFA help increase my safety?

**IF YOU ARE IN IMMEDIATE DANGER
CALL 911!**