

PETITION FOR PROTECTION FROM ABUSE

INSTRUCTION SHEET

USE THIS FORM IF THERE IS NO PROTECTION FROM ABUSE ORDER.

**These instructions are meant to give you
general information and not legal advice.**

1. Complete, date, and sign the Petition for Protection from Abuse. Detailed instructions on how to do this are included in this packet. **Do not include your address if it is not safe to disclose your location.**

Note: The Petition for Protection from Abuse is a packet.
All of the following should be included in your packet:

- Notice of Hearing and Order
- Temporary ex parte Protection From Abuse order
- Petition for Relief Under the Protection From Abuse Act
- Affidavit of service

2. There is no charge to file the Protection from Abuse petition. If the court grants your Protection Order, the Defendant will have to pay the fees and costs unless the court determines that s/he is not able to do so. The court will then waive the fees and costs. If your petition is **not granted**, the costs of filing and service may be assigned to you, unless the court determines that you are not able to pay the costs of filing and service. When a final protection order is granted after a hearing, a \$306.48 surcharge is assessed against the Defendant.

3. File the completed petition by hand-delivering it in person to:

Philadelphia Family Court
Domestic Violence Unit
1501 Arch Street - 8th Floor
Philadelphia, PA 19102

If you have questions you can call: 215-686-3514/5.

4. When you file your Petition, include the original and two copies. When you deliver your Petition to the Domestic Violence Unit, you must wait or return for your Petition and Temporary Order. You will be given a packet that includes these documents along with a Notice of Hearing and Order and Affidavit of Service. The Defendant must be served with these documents.

5. After you receive the packet from the court, you must serve the Defendant. Service is accomplished by handing the Defendant one packet with the following documents:

- Notice of Hearing and Order,
- Temporary Protection From Abuse Order, if granted, and
- Petition.

While any responsible adult may serve the papers, it is suggested that you have the Philadelphia Police make service. To obtain police assistance, take all the necessary papers provided to you by the court to the Police District Headquarters in which the Defendant can be located (residence, work, etc.) and request an officer to assist you in serving the Protection From Abuse order. The person who serves the papers on the Defendant must complete, sign, and return the affidavit of service to you. You must bring this Affidavit of Service to court with you.

6. If the Defendant will not take the packet of materials, the person serving the packet should leave the packet in the Defendant's presence and complete the Affidavit of Service.

7. If you are unable to serve the Defendant, you may ask the court at the hearing for permission to serve by another means, including by mail.

8. IF GRANTED, KEEP A COPY OF THE TEMPORARY PROTECTION ORDER WITH YOU AT ALL TIMES.

9. Go back to court for the hearing date, even if you have not been able to serve the Defendant. IF YOU DO NOT APPEAR FOR THE HEARING, YOUR PETITION FOR A PROTECTION ORDER AND YOUR TEMPORARY ORDER WILL BE DISMISSED. Even if the Judge did not grant your Temporary Order, you may still receive a Final Order at the hearing.

WORDS AND PHRASES USED IN THE PROTECTION FROM ABUSE PETITION:

EX PARTE: An ex parte hearing is a hearing where only one side is present.

PLAINTIFF: Person who is filing the PETITION.

DEFENDANT: Person against whom you are filing.

ABUSE: The term ABUSE is defined under the Protection From Abuse Act as including

the occurrence of one or more of the following acts between family or household members:

Attempting to cause or causing bodily injury (physical 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.

Being placed in “reasonable fear” of imminent serious bodily injury by a physical or verbal threat or menacing gesture.

Being kept in a place against your will by force or threat of force.

Physical or sexual abuse of a child.

Being followed or threatened in a way that places you in reasonable fear of bodily injury.

FAMILY OR HOUSEHOLD MEMBERS: In order for the Court to have the authority to consider a Protection From Abuse Order, the acts of abuse must occur between either adults or minors who have the following types of relationship:

Spouses

Ex-spouses

Persons acting as spouses

Persons related by blood or marriage, i.e., parents, children, uncles, aunts, cousins grandparents, in-laws, step-parents, etc.

Former or current sexual partners

Former or current intimate partners

RELIEF AVAILABLE UNDER THE PROTECTION FROM ABUSE ACT:

The court may grant any protection order or approve any consent agreement to stop the Defendant from abusing you or your minor children. Presently, the order or agreement may last for up to 3 years. The order or agreement may include language:

Directing the Defendant to stop abusing you or your minor child/ren.

Evicting the Defendant from the residence or household, even when the Defendant is the sole owner or lessee, if the Defendant has a duty to support you or the minor child/ren, or to order the Defendant, with your consent, to provide suitable alternate housing.

Awarding temporary custody of or establishing temporary visitation rights with regard to minor child/ren.

Ordering the Defendant to pay financial support to those persons the Defendant has a duty to support, including health coverage for the minor child/ren and spouse, paying all of the unreimbursed medical expenses of a spouse or minor child/ren, and directing the Defendant to make rent or mortgage payments on your residence when the Defendant has a duty to support you or other dependent household members. The support order is temporary, and you must file a complaint for support within two weeks of the date of the issuance of the protection order or the support order becomes void.

Prohibiting the Defendant from having any contact with you or your minor child/ren at your place of employment or business or school and from harassing you or your relatives or minor child/ren.

Ordering the Defendant to give up any firearms, other weapons, ammunition and firearms license and prohibiting the Defendant from possessing any firearms or other weapons, ammunition or firearms license for the duration of the order.

Directing the Defendant to pay you for reasonable losses suffered as a result of the abuse, including medical, dental, relocation and moving expenses; counseling; loss of earnings or support; costs of repair or replacement of real or personal property damaged, destroyed or taken by the Defendant or at the direction of the Defendant; and other out-of-pocket losses for injuries sustained. In addition to out-of-pocket losses, the court may direct the Defendant to pay reasonable attorney fees.

Directing the Defendant to refrain from stalking or harassing you.

Granting any other appropriate relief you seek.

FILL IN HEADING (CAPTION) ON NOTICE OF HEARING AND ORDER

Fill in the names of the Plaintiff and Defendant in the heading of the Petition. If you are filing this Petition, you are the Plaintiff. The Defendant is the person you are filing the complaint against. The Court will give the petition a number and put it on the copy that is handed to you.

HOW TO FILL IN THE TEMPORARY FROM ABUSE ORDER

Complete only LINE 1 and LINE 2. The Court will complete the rest of the Temporary Protection From Abuse Order.

LINE 1 - PLAINTIFF

Fill in the name and date of birth of the person who is seeking protection from abuse.

This may be yourself, a family member, or other household member.

LINE 2 - DEFENDANT

State the Defendant's name. Under Line 2, list the Defendant's address.

HOW TO FILL IN THE PETITION

The Petition is the part of the packet entitled "Petition for Protection from Abuse."

HEADING (CAPTION).

Fill in the names of the Plaintiff and Defendant in the heading of the Petition. If you are filing this Petition, you are the Plaintiff. The Defendant is the person you are filing the complaint against. The Court will give the petition a number and put it on the copy that is handed to you.

LINE 1 - PLAINTIFF

The name and date of birth of the person who is seeking protection from abuse through this complaint goes here. This may be yourself, a family member, or other household member.

Next, your address should be stated here unless you require it to be confidential for your protection. If so, do not fill in your address; simply mark the box next to "Plaintiff's address is confidential."

LINE 2 - DEFENDANT

State the Defendant's name. Under Line 2, list the Defendant's address.

Under CAUTION, Check off all that apply. Check if

- A weapon was involved in the abuse
- A weapon is present on the property
- A weapon was previously ordered to be relinquished

In the box to the right, list the Defendant's identifiers as best you can. This includes their date of birth, Social Security Number, Sex, Race, physical identifiers such as Hair color, Height, Weight, and Eye color, Social Security Number (SSN), and Driver's License.

Next, list the Defendant's place of employment, and whether the Defendant's employment involves firearms as best you can.

LINE 3

In this section, check whether you are filing the complaint for yourself or another person.

Next, it will ask for the name and address of the Filer. Whether you are filing on behalf of yourself, or on behalf of another person – provide your name here, as filer.

Your address should be stated here unless you require it to be confidential for your protection. If so, do not fill in your address; simply mark the box next to “Filer’s address is confidential.”

LINE 4

State the names of all the people who are seeking protection from abuse through this complaint. This may include yourself, family members, or other household members.

LINE 5

Check your relationship to the Defendant. Check all that apply.

LINE 6

If you and the Defendant are involved in any other court actions, check the box that reflects the type of court action here. Use the space provided to note, as best you can, the type of case, when and where the case was filed, and the court number of each case.

LINE 7

If the Defendant has ever been involved in a criminal court case or is presently on probation or parole, it should be noted here.

LINE 8

If you and the Defendant have minor child/ren, list their names, ages, and address (unless confidential).

LINE 9

If there is an existing custody court order for the minor child/ren, state the terms of that order here.

LINE 10

List all other minor children who reside in the household, their ages, and your relationship to them.

LINE 11

In this section, describe the most recent incident of abuse, including the date, time and

place that it occurred.

LINE 12

If the Defendant has abused you or the child/ren in the past, describe that prior abuse.

LINE 13

If the Defendant has ever threatened you or the child/ren with firearms or other weapons, describe what happened, and indicate whether, to your knowledge, the Defendant owns or possesses any firearm, other weapon or ammunition. If Defendant does, list those items in Attachment A, which follows the petition and should be attached to it when it is filed.

LINE 14

You need not write anything here.

LINE 15

You need not write anything here.

LINE 16

Check the box if you are asking the court to evict/exclude the Defendant from your home. You must provide the court with the location of the home and indicate whether the address is confidential. You must also provide information as to who owns, rents, or leases the home, and whether the Defendant owes a duty of support. The Defendant may owe you child support if you have a child in common who lives primarily with you. The Defendant may owe you spousal support if you are married to the Defendant.

LINE 17

Check the box if you have suffered monetary losses as a result of the Defendant's abusive conduct, and describe those losses.

FINAL SECTION: RELIEF REQUESTED

This section is where you check off all the forms of relief you are seeking. Be sure to check every item you need to assure your safety. This includes requesting any special arrangements necessary for the safety of the child/ren.

SIGN AND DATE THE PETITION.

DATE AND SIGN THE VERIFICATION THAT THE STATEMENTS ARE TRUE.

COMPLETE ATTACHMENT A, INCLUDING THE CAPTION

FILL IN THE CAPTION ON AFFIDAVIT OF SERVICE

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

	:	
PLAINTIFF	:	FAMILY COURT DIVISION
vs.	:	Protection From Abuse
	:	NO.
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 custody).

A hearing on the matter is scheduled for the _____, day of _____, 20____, at ____ m. in Courtroom ____ at _____Family Court, 1501 Arch Street, Philadelphia, Pennsylvania.

You MUST obey the order that is attached 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.§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.

**Philadelphia Bar Association
Lawyer Referral and Information Service
1101 Market Street, 11th Floor
Philadelphia, PA 19107
(215) 238-6326**

TEMPORARY PROTECTION FROM ABUSE ORDER <input type="checkbox"/> Amended Order <input type="checkbox"/> Continued Order	IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY, PENNSYLVANIA NO.
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1. PLAINTIFF

First	Middle	Last	Plaintiff's DOB

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

V.

2. DEFENDANT

First	Middle	Last	Suffix

Defendant's Address:

DEFENDANT IDENTIFIERS			
DOB		HEIGHT	
SEX		WEIGHT	
RACE		EYES	
HAIR			
SSN			
Driver's License #			
Exp Date			

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, this ____ day of _____, 20__, upon consideration of the

attached Petition for Protection from Abuse, the court hereby enters the following Temporary Order:

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

2. Defendant is evicted and excluded from the residence at _____ or any other permanent or temporary residence where Plaintiff 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.

3. Defendant is prohibited from having ANY CONTACT with Plaintiff at any location, including but not limited to any contact at Plaintiff'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. Defendant shall not contact Plaintiff by telephone or by any other means, including through third persons.

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

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

The local law enforcement agency 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. Defendant shall immediately relinquish the following weapons to the Sheriff's Office or a designated local law enforcement agency for delivery to the Sheriff's office:

Defendant is prohibited from possessing, transferring or acquiring any other weapons for the duration of this order.

7. The following additional relief is granted:

8. A certified copy of this Order shall be provided to the police department where Plaintiff resides and any other agency specified hereafter:

9. THIS ORDER SUPERSEDES ANY PRIOR PFA ORDER AND ANY PRIOR ORDER RELATING TO CHILD CUSTODY.

10. THIS ORDER APPLIES IMMEDIATELY TO DEFENDANT AND SHALL REMAIN IN EFFECT UNTIL 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 \$1,000.00 and/or up to six months in jail. 23 Pa.C.S. §6114. Consent of the 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. §6713. 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 LAW ENFORCEMENT OFFICIALS

This Order shall be enforced by the Police who have jurisdiction over the plaintiff's residence OR any location where a violation of this order occurs OR where the defendant may be located. If defendant violates Paragraphs 1 through 6 of this Order, defendant may 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 law enforcement.

Subsequent to an arrest, the law enforcement officer shall seize all weapons used or threatened to be used during the violation of this Order OR during prior incidents of abuse. Weapons must forthwith be delivered to the Sheriff's office of the county which issued this Order, which office shall maintain possession of the weapons 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 made the arrest.

BY THE COURT:

J.

Date

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

_____	:	
PLAINTIFF	:	FAMILY COURT DIVISION
vs.	:	Protection From Abuse
_____	:	
DEFENDANT	:	NO.
	:	

**ATTACHMENT A TO TEMPORARY 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.	

All firearms, other weapons and ammunition owned or possessed by the defendant.

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).

PETITION FOR PROTECTION FROM ABUSE	IN THE COURT OF COMMON PLEAS OF PHILADELPHIA 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:

CAUTION:

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

DEFENDANT IDENTIFIERS			
DOB		HEIGHT	
SEX		WEIGHT	
RACE		EYES	
HAIR			
SSN			
Driver's License #			
Exp Date			

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:

Name(s)	Age(s)	Address (unless confidential)

5. Indicate the relationship between Plaintiff and Defendant.
- 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) with Defendant
 - Parent of Defendant
 - Check here if Defendant is 17 years old or younger*

6. Have Plaintiff and 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 case number if known:

7. Has the Defendant been involved in any criminal court action? ____
 If you answered Yes, is the Defendant currently on probation? ____

8. Plaintiff and Defendant are the parents of the following minor child/ren:

Name(s)	Age(s)	Address (unless confidential)

9. For the Plaintiff & Defendant there (circle one) is/is not an existing custody order for the minor children in Philadelphia court with the following terms:

10. The following other minor child/ren presently live with Plaintiff:

<i>Name(s)</i>	<i>Age(s)</i>	<i>Plaintiff's relationship to children</i>

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 physical or sexual abuse, threats, or incidents of stalking, injuries, medical treatment sought, and/or calls to law enforcement 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? (circle one) Yes No

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 children:

(b) Other than 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 or any firearm license? (circle one) Yes No

(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. The Pennsylvania State Police and Philadelphia Sheriff’s Office are to be provided a copy of the Protection Order.

15. There is a danger of further abuse from the Defendant.

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

Plaintiff is asking the court to evict/exclude the Defendant from the following residence:

Confidential Address

This residence is owned by (list owners, if known): _____

rented by (list renters, if known):

Defendant owes a duty of support to Plaintiff and/or the minor child/ren.

17. 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 A 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 minor child/ren in any place where Plaintiff may be found.

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

E. Prohibit Defendant from having any contact with Plaintiff, 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.

Name	Address (optional)	Relationship to Plaintiff

G. Order Defendant to temporarily turn over weapons to the Sheriff of this County and prohibit Defendant from transferring, acquiring or possessing any such weapons for the duration of the Order.

H. Order Defendant to pay temporary support for 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. Order Defendant to pay Plaintiff's reasonable attorney's fees.

K. Order the following additional relief, not listed above:

L. Grant such other relief as the Court deems appropriate.

M. Order the police or other law enforcement agency to serve the Defendant with a copy of this Petition, any Order issued, and the Order for Hearing. The petitioner will inform the designated authority of any addresses, other than Defendant's residence, where Defendant can be served.

VERIFICATION

I verify that I am the Plaintiff 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 OF PHILADELPHIA COUNTY

_____	:	
PLAINTIFF	:	FAMILY COURT DIVISION
vs.	:	Protection From Abuse
_____	:	
DEFENDANT	:	NO.
	:	

**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.):

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):

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):

Firearm/Other Weapon/Ammunition

Location

1.

2.

3.

4.

5.

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

If more space is needed, more sheets may be attached to this document.

Name _____

Date _____

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

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

_____	:	
PLAINTIFF	:	FAMILY COURT DIVISION
vs.	:	Protection From Abuse
_____	:	
DEFENDANT	:	NO.
	:	

AFFIDAVIT OF SERVICE

I, _____, the undersigned, hereby state that I served a copy of the Notice of Hearing and Order, Petition and Temporary Order in the above-captioned action upon the Defendant by handing the papers to _____ at the following address:
on the _____ day of _____, 20____, at approximately _____ m.

I verify that the statements made in this Affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S.A. § 4904, relating to unsworn falsification to authorities.

Signature

Title

Address

Date

THIS FORM MUST BE COMPLETED AND SIGNED BY THE PERSON WHO SERVES THE DEFENDANT WITH THE NOTICE OF HEARING AND ORDER, PETITION AND TEMPORARY ORDER. IT MUST BE FILED WITH THE PROTHONOTARY OR BROUGHT TO THE COURT ON THE HEARING DATE.