



Protection from Abuse (PFA)

What is a PFA in Pennsylvania?

A PFA is a court order that protects someone from abuse. The person filing for protection is the plaintiff. The person who the PFA is filed against is the defendant.

Important details included in a PFA:

- What, if any, contact is allowed between the plaintiff and the defendant;
- Who are the protected parties (including minor children);
- Changes to child custody orders;
- Any weapons, firearms, firearms licenses, or ammunition relinquishment and restrictions;
- The date and time of the 2nd Abuse/Final PFA Hearing;
- The right of either party to have an attorney and where to obtain the name of an attorney; and
- The right to have witnesses and the process to do this.

What does a PFA do?

A PFA order can make it illegal for the defendant to contact you and/or other protected parties. It can also make it illegal for the defendant to commit further acts of abuse; evict/exclude the defendant from your home or workplace; among other things.

Who can file a PFA in Pennsylvania?

A PFA can be filed if you have had one or more of the following types of qualifying relationships:

- Spouse or former spouse of the defendant;
- Parent of a child with the defendant;
- Current or former sexual/intimate partner with the defendant;
- Parent or Child of the defendant;
- Family member related by blood to the defendant;

- Family member related by marriage or affinity to the defendant; or
- Sibling of the defendant.

Where and how do I file PFA?

To file a PFA in Lycoming County, please contact Wise Options at either (570) 323-8167 or 1-800-326-8483.

What is the filing fee for a PFA?

Typically, filing fees are assessed against the defendant in a PFA. However, the costs can be waived at the Judge's discretion.

Do I need a lawyer to file a PFA?

You do not need a lawyer to file a PFA, nor do you need one to represent you at any PFA hearings. However, it is encouraged that you seek legal counsel to answer any legal questions you may have. You can contact the Pennsylvania Bar Association for help on finding a free or low-cost attorney.

How do I get an emergency PFA in Pennsylvania?

- Call 911 if an emergency is occurring.
- Contact Wise Options at 1-800-326-8483 24 hours/7 days a week;
- If directed by Wise Options, you can contact Court Administration during regular business hours;
- Contact your local non-emergency number or local law enforcement agency if you need assistance but the matter is not an emergency.

If an Emergency Temporary Order is granted, it will only be in effect until the end of business on the next business day. If you are granted an Emergency Temporary Order, you will need to contact Wise Options or Court Administration, if directed to do so from Wise Options during business hours so you can apply for a Temporary PFA.

How can I file a PFA on behalf of my child?

The child must have a qualifying relationship with the other party, including if the other party is a minor. A minor plaintiff must have an adult relative or household member file on their behalf.

Do I lose custody if I have a PFA against me?

Custody can be modified if a minor child/ren are protected parties under a PFA Order and the Judge orders that the PFA supersedes the existing custody order. However, at any time during the PFA, either party can file to modify any existing custody order, even if the PFA establishes custody.

Do I still have to pay child support if I have a PFA against me?

A PFA does not vacate your obligation to pay child support. While PFAs typically do not require a defendant to pay child support, it can.

Will my kid's school know about my PFA?

If your child is a protected party under the PFA, the plaintiff may give a copy of the order to the child's school. If the school is provided with a copy, the information and communication about your child may be limited. If you have questions regarding this, you should contact an attorney.

Who can file for custody if there is an existing PFA order?

If you are the Plaintiff in a PFA matter and the minor children are protected parties, you should file for custody with regards to your children if an order does not exist. If a Custody Order does exist, then you should file to modify the current custody order.

If you are the defendant in a PFA matter, you should read the final order of protection carefully regarding custody. Some PFA orders will address whether or not either party can file for custody. You should contact an attorney for legal advice.

What happens when a PFA is filed against me?

After an initial 1st abuse hearing where a Temporary Order is granted, the temporary order and Petition showing the allegations will be served on you by a law enforcement officer. You will also be served with a Notice of Hearing providing the date, time, and courtroom where the 2nd Abuse/Final Hearing will be held. You should plan to attend this hearing.

Once you are served with the PFA paperwork, you should read over all of the paperwork carefully. The temporary order will provide you with information regarding what communication, if any, can be had with the plaintiff and any other protected parties; where you can find the name of an attorney, and other important information. It is important that you follow the Temporary Order. If you do not follow the Temporary Order, you can be found in contempt of the order.

You should contact an attorney if you have any questions or wish to have representation at the 2nd Abuse/Final hearing

Can I get evicted from a PFA order in Pennsylvania?

Yes. If you and the plaintiff reside at the same residence, you may be evicted and excluded from the home. You will be afforded a short amount of time, typically twenty (20) minutes, in the presence of law enforcement, to retrieve important personal items. Unless the PFA is modified at the 2nd abuse/final hearing, you will not be permitted to return to that address for any reason.

Do I lose my license to carry a firearm if I have a PFA?

If a temporary order has been granted against you, you may have to relinquish your weapons and, if you have one, your license to carry. At the 2nd abuse or final hearing, the Judge may remove the weapons relinquishment and you will be able to have your firearms returned to you. You may have to reapply for the license to carry permit.

If you are a firearms dealer, your Federal Firearms License may also be affected. You should contact an attorney with regards to this matter.

What happens if a violation of a PFA occurs?

If a PFA is violated and you are the Plaintiff, contact 911 or your local law enforcement agency immediately. If a violation occurred, the defendant could be charged with an Indirect Criminal Contempt. If the defendant is found guilty, he/she could be fined no more than \$1,000 and a period of incarceration or supervised probation for no longer than six (6) months. An indirect criminal contempt can show up on a background check.

Are PFAs enforceable outside of Pennsylvania?

Yes, the PFA will be valid in all 50 states. Law Enforcement in another state will be able to look up any PFAs issued in other states.

Does a PFA go on a public record?

A PFA is visible in the Pennsylvania Police Database for law enforcement, even if it is expired. The PFA is also accessible in public databases. Your record can be sealed if you reach an agreement with the other party or if you request for your record to be sealed.

What is a 2nd Abuse/Final PFA hearing?

After a temporary order is granted, a 2nd abuse/Final PFA hearing is scheduled within ten (10) days of the granting of the temporary order. At this hearing, both parties are present, with or without counsel. The defendant can agree to have a PFA order against him/her or the defendant can ask for a hearing. In this hearing, each party will have a chance to testify, and present witnesses and evidence. After testimony, the Judge will enter an order or dismiss the PFA. If the Judge enters a PFA order, the order can be in effect for up to three (3) years. If the Judge dismisses the PFA, the temporary order is no longer valid.

Can a PFA be denied?

Yes. A temporary or final PFA order can be denied if the Judge does not find that you or a protected party has suffered abuse or does not find that you are in danger of being abused. You can refile for a PFA at any time you are fearful for your safety.

How long does a PFA order last?

A temporary PFA can be in effect for one (1) year. A final PFA order can be in effect for up to three (3) years. If you are the plaintiff in a PFA, and you feel that your PFA should be extended for another length of time, you can file a Praecipe to Extend, Modify, or Terminate a PFA prior to the expiration date of the PFA. We suggest that this Praecipe be filed approximately six (6) months before the expiration date.

Will potential employers see my PFA order?

A PFA may appear on a background search conducted by an employer. It may depend on the depth of the background search the employer performs.

How does a PFA work in public places?

A PFA is enforceable everywhere. If you are in a public place where the Plaintiff is, you can be reported for violating the PFA.

Can I appeal a PFA?

After the final PFA order is granted, you have ten (10) days to file a motion of reconsideration. You also have 30 days after the final PFA order is issued to file an appeal to the Superior Court.

Can a PFA be dropped?

A final PFA order can be withdrawn by filing a Praecipe to Terminate, Modify, or Extend the PFA. Once the Praecipe has been reviewed by the Judge, a hearing will be scheduled. Your PFA will remain in full force and effect until the hearing before the Judge. Both parties are encouraged to attend the hearing. At the hearing, the plaintiff will testify as to why the PFA should be withdrawn. The Judge will enter an order vacating the PFA, modifying the PFA, or denying the request to withdraw the PFA.