

PROTECTION FROM ABUSE IN PHILADELPHIA COUNTY DURING COVID

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

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.

HOW DO YOU FILE FOR A PFA ORDER?

You can fill out your petition and email it to:

TempPFA@courts.phila.gov You will need an e-mail address from which to send email to the court. You can find a form and instructions here

<https://www.courts.phila.gov/pdf/forms/domestic-relations/Petition-for-Protection-From-Abuse-w-instructions.pdf>

OR

Call the Domestic Violence Unit at 215-686-6311, ext. 19217 Monday through Friday from 8:00 am to 4:00 p.m. The staff will provide all necessary information regarding the steps needed to complete the process. You will need an e-mail address to receive a prepared petition from the court and to sign it through doc-u-sign and return it to the court.

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 4 p.m. If you email your petition after 12 p.m. there may not be time to get your petition reviewed that day. Information is available by telephone 24 hours a day at 215-686-3512.

The form is also available here

<https://www.courts.phila.gov/forms/> under *Court of Common Pleas Family Court-Domestic Relations*

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).

*** SAFETY TIP * IF YOU ARE IN DANGER,
CALL 911 IMMEDIATELY**

***If the order is violated, show the officers the order.
KEEP A COPY OF THE ORDER WITH YOU AT ALL
TIMES, IN YOUR CAR, HOME, AND WORKPLACE***

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See Brochure PHILADELPHIA EMERGENCY DOMESTIC VIOLENCE SITE to learn how to obtain an emergency PFA order in Philadelphia.

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 in person or at the defendant's home or to a person in charge at the place the defendant works (this is called "service"). Any responsible adult, who is not a party or related to a party may serve the papers. If you filed with the assistance of the Domestic Violence Unit or via email (but not at the emergency site at the CJC) the Philadelphia Sheriffs Office will serve for you. You can call 215 686-3542 to find out if the defendant has been served. **You must appear (remotely on video) for the hearing even if the defendant has not been served with the papers.**

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 will receive an email invitation to participate in the hearing remotely via RingCentral. Follow the instructions and be sure to log in to the video hearing on time.
- You may receive instructions on how to submit evidence with the invitation to the remote 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).
- Be prepared to show written evidence, such as medical records, medical bills, repair bills, or photos of injuries. You may be required to submit the evidence before the hearing.

- You may request witnesses to testify if they have firsthand knowledge of the incidents of abuse.
- Witnesses must not be in the room with you while you are testifying during your video hearing until the witness is called to testify.

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
- **PHILADELPHIA LEGAL ASSISTANCE:** 215-981-3800
- **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

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**
Telephone Counseling: 215-928-9801 or
<https://www.womenslawproject.org/need-help/>

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