

| | |
|---|---|
| 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. |
|---|---|

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:

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 | | | |

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 | : | |
| vs. | : | FAMILY COURT DIVISION |
| _____ | : | 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).