

PFA DATA SHEET

Family Court Number 20_____ FC _____

Plaintiff's Name: _____

Address: _____

City, State, Zip Code: _____

Home Phone Number: _____ Cell Phone Number: _____

Email address: _____

Date of Birth: _____ Race: _____

Place of Employment: _____

Address: _____

City, State, Zip Code: _____

Work Phone Number: _____

Work Schedule/Hours: _____

Attorney: _____

Defendant's Name: _____

Address: _____

City, State, Zip Code: _____

Home Phone Number: _____ Cell Phone Number: _____

Email address: _____

Date of Birth: _____

Place of Employment: _____

Address: _____

City, State, Zip Code: _____

Work Phone Number: _____

Work Schedule/Hours: _____

Attorney: _____

(Name)

(Address)

(City, State, Zip Code)

Phone Number

Email (Plaintiff)

vs.

(Name)

(Address)

(City, State, Zip Code)

Phone Number

Email (Defendant)

IN THE COURT OF COMMON PLEAS
OF LACKAWANNA COUNTY

FAMILY DIVISION

PROTECTION FROM ABUSE

_____ FC _____

Return of Service

Defendant can be served at _____

Defendant's Information

Date of Birth: _____

Height: _____

Sex: _____

Weight: _____

Race: _____

Skin Tone: Light Medium Dark

Hair Color: _____

Beard/Mustache: _____

Eye Color: _____

State of Birth: _____

Tattoos/Scars: _____

Other: _____

(Name)

IN THE COURT OF COMMON PLEAS
OF LACKAWANNA COUNTY

(Address)

FAMILY DIVISION

(City, State, Zip Code) (Plaintiff)

PROTECTION FROM ABUSE

vs.

_____ FC _____

(Name)

(Address)

(City, State, Zip Code) (Defendant)

.....

PETITION FOR PROTECTION FROM ABUSE

1. Plaintiff's Name _____

Plaintiff's Date of Birth _____

_____ Plaintiff's address is confidential, or

Plaintiff's address is _____

vs.

2. Defendant's Name _____

Defendant's address _____

CAUTION:

_____ **Weapon Involved** _____ **Weapon Present on the Property**

_____ **Weapon Requested Relinquished**

Defendant's place of employment is _____

_____ Check here if you have reason to believe that Defendant is a licensed firearms dealer, employed by a licensed firearms dealer or manufacturer, 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 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 _____

_____ 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) _____ adult household member with minor Plaintiff(s)

_____ applicant for appointment as guardian ad litem of 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 (include date of birth and sex of the minor child(ren):

5. Indicate the relationship between the 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) of Defendant

_____ Check here if Defendant is 17 years old or younger.

6. Have Plaintiff and Defendant been involved in any of the following actions?

Divorce Custody Support Protection from Abuse

If you checked any of the above, indicate when and what county the case was filed in and the docket number

7. Has the Defendant ever been involved in any criminal action? yes no

If so, is the Defendant currently on probation? yes no

Has Defendant been determined to be a perpetrator in a founded or indicated report under the Child Protective Services Law, 23 Pa. C.S. §§ 6301-6386? yes no

If you answered yes, what county court or child protective services agency issued the founded or indicated report? _____

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

Name(s)	Age(s)	Who reside at (list address unless confidential)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

9. If Plaintiff and Defendant are parents of any minor child(ren) together, is there an existing court order regarding their custody? yes no

If you answered "yes", in what county and state was the order issued?

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

Name(s)	Age(s)	Plaintiff's relationship to child
_____	_____	_____
_____	_____	_____
_____	_____	_____

(c) If the answer to (b) is “yes,” list any additional firearm, other weapon, or ammunition owned by or in the possession of Defendant on Attachment A .

(d) Plaintiff _____ DOES _____ DOES NOT request that the court order Defendant to relinquish firearms, other weapons, or ammunition listed on Attachment A. If Plaintiff does seek relinquishment, identify on Attachment A the firearms, other weapons, or ammunition Plaintiff requests the court to order Defendant to relinquish.

14. Identify the Police Department in the area which Plaintiff lives that should be provided with a copy of the protection order: _____

15. There is an immediate and present danger of further abuse from Defendant.

Check the following boxes only if they apply to your case and provide the requested information

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

Residence is owned by _____

Residence is rented by _____

_____ Defendant owes a duty of support to Plaintiff or the minor child(ren).

_____ 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 HEARING, A FINAL ORDER THAT WOULD DO THE FOLLOWING (CHECK ALL THAT APPLY)

A. _____ Restrain Defendant from abusing, harassing, stalking, threatening, or attempting or threatening to use physical force against Plaintiff or the minor child(ren) in any place where Plaintiff or the child(ren) may be found.

B. _____ Evict/exclude Defendant from Plaintiff’s residence and prohibit Defendant from attempting to enter any temporary or permanent residence of Plaintiff.

C. _____ Require Defendant to provide Plaintiff or the 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 the child(ren):

- E. _____ Prohibit Defendant from having any contact with Plaintiff or the minor child(ren), 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 with the minor child(ren).
- F. _____ Prohibit Defendant from having any contact with Plaintiff's relatives and Plaintiff's Child(ren) listed in this petition, except as the court may find necessary with respect to partial custody with the minor child(ren). The following persons are Plaintiff's relatives or family and household members that Plaintiff believes require protection from stalking and harassment by Defendant.

Name	Address (optional)	Relationship to Plaintiff
_____	_____	_____
_____	_____	_____
_____	_____	_____

- G. _____ Order Defendant to temporarily relinquish the firearms, other weapons, or ammunition listed on Attachment A, under Defendant's control, or in Defendant's possession or any firearm license to the sheriff or the appropriate law enforcement agency.
- H. _____ Prohibit Defendant from acquiring or possessing firearms for the duration of the order.
- I. _____ Order Defendant to pay temporary support for Plaintiff or the minor child(ren), including medical support and payment of the rent or mortgage on the residence.
- J. _____ Direct Defendant to pay Plaintiff for the reasonable financial losses suffered as the result of the abuse, to be determined at the hearing.
- K. _____ Order Defendant to pay Plaintiff's reasonable attorney's fees.
- L. _____ Order the following additional relief, not listed above: _____

- M. X Grant such other relief as Plaintiff requests or the court deems appropriate.
- N. X Order the police, sheriff, or other law enforcement agency to serve Defendant with a copy of this petition, any order issued, and the order for hearing. Plaintiff will inform the designated authority of any addresses, other than Defendant's residence, where Defendant can be served.
- O. _____ Direct the Pennsylvania State Police, the municipal police or the sheriff to accompany Plaintiff to his or her residence to retrieve personal belongings or accompany Plaintiff while the petition or order is served on Defendant, if Plaintiff has reason to believe his or her safety is at risk.

VERIFICATION

I verify that I am the Petitioner 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. § 4904, relating to unsworn falsification to authorities.

Date

Signature

(Name)

IN THE COURT OF COMMON PLEAS
OF LACKAWANNA COUNTY

(Address)

FAMILY DIVISION

(City, State, Zip Code) (Plaintiff)

PROTECTION FROM ABUSE

vs.

_____ FC _____

(Name)

(Address)

(City, State, Zip Code) (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 this petition. In particular, you may be evicted from your residence, prohibited from possessing any firearm, other weapon, ammunition, or any firearm license, and lose other important rights, including custody of your children. A 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) and Child Protective Services Law proceedings under Chapter 63 (related to juvenile matters).

**A hearing on the matter is scheduled for the _____ day
of _____, 2020 at 9:15 A.M via Video Conference.**

**Lackawanna County Family Court
123 Wyoming Avenue – 1st Floor
Scranton, PA 18503**

In the event the matter will be heard via Zoom/Microsoft Teams, a link will be sent to your email address to participate in the hearing/conference. Parties are directed to click on the link at the time of your hearing.

If an order of protection had been entered, you MUST obey the order 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 under 23 Pa. C.S.A. § 6114. Violation may also subject you to prosecution and criminal penalties under the Pennsylvania Crime 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 or the appropriate law enforcement agency, 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 or the appropriate law enforcement agency 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. § 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) or state firearms prohibitions and state criminal penalties under 18 Pa. C.S. §6015.

You have the right to have a lawyer represent you at the hearing, however, the court will not appoint a lawyer for you. You have the right to present evidence at the hearing, including subpoenaing witnesses to testify on your behalf.

You should take this paper to your lawyer at once. If you do not have a lawyer, go to or telephone the offices set forth below. These offices can provide you with information about hiring a lawyer. If you cannot afford to hire a lawyer, these offices 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.

North Penn Legal Services, Inc.
33 North Main Street – Suite 200
Pittston, PA 18640
570-299-4100

Lackawanna Pro Bono, Inc.
233 Penn Avenue
Scranton, PA 18503
570-961-2714

(Name)

IN THE COURT OF COMMON PLEAS
OF LACKAWANNA COUNTY

(Address)

FAMILY DIVISION

(City, State, Zip Code) (Plaintiff)

PROTECTION FROM ABUSE

vs.

_____ FC _____

(Name)

(Address)

(City, State, Zip Code) (Defendant)

.....

TEMPORARY PROTECTION FROM ABUSE ORDER

AND NOW, this _____ day of _____, 20_____, upon consideration of the attached Petition for Protection from Abuse, the court hereby enters the following Temporary Order.

_____ Plaintiff's request for a Temporary Protection Order is **DENIED**.

_____ Plaintiff's request for a Temporary Protection Order is **GRANTED**.

Plaintiff's Name _____

Plaintiff's Date of Birth _____

Name(s) of all protected persons, including minor child(ren) and date of birth:

vs.

Defendant's Name _____

Defendant's Address _____

The Court Hereby finds: That it has jurisdiction over the parties and subject matter, and Defendant will be provided with reasonable notice and opportunity to be heard.

The Court Hereby Orders:

_____ Defendant shall not abuse, harass, stalk, threaten, or attempt or threaten to use physical force against any of the above persons in any place where they might be found.

_____ Except for such contact with the minor child(ren) as maybe 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.

X Additional findings of this order are set forth below.

_____ 1. Defendant shall not abuse, harass, stalk, threaten, or attempt or threaten to use physical force against 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 or any other person protected under this order 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 of Plaintiff or any other person protected under this order.

_____ 3. Except for such contact with the minor child(ren) as may be permitted under paragraph 5 of this order, Defendant is prohibited from having ANY CONTACT with Plaintiff, or any other person protected under this order, either directly or indirectly, 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. 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.

_____ 5. CUSTODY

_____ There is a current custody order as to the child(ren) of the parties:

_____ (County)

_____ (Docket Number)

_____ THIS ORDER SHALL NOT SUPERSEDE THE CURRENT CUSTODY ORDER.

_____ THIS ORDER SUPERSEDES ANY PRIOR ORDER RELATING TO CHILD CUSTODY.

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

_____ Pending the outcome of the final hearing in this matter, Plaintiff is awarded temporary custody of the following minor child(ren):

CAUTION:

_____ **Weapon Involved** _____ **Weapon Present on the Property**

_____ **Weapon Requested Relinquished**

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. FIREARMS, OTHER WEAPONS, OR AMMUNITION RESTRICTIONS

Check all that apply:

_____ Defendant is prohibited from possessing or acquiring any firearms for the duration of this order.

_____ Defendant shall relinquish to the sheriff or the appropriate law enforcement agency the following firearm licenses owned or possessed by Defendant.

_____ Defendant is directed to relinquish to the sheriff or the appropriate law enforcement agency any firearm, other weapon, or ammunition listed in Attachment A, which is incorporated herein by reference, under Defendant's control or in Defendant's possession.

Defendant may relinquish any firearms, other weapons, or ammunition to the sheriff or the appropriate law enforcement agency. As an alternative, Defendant may relinquish firearms, other weapons, or ammunition to a third party provided Defendant and the third party first comply with all the requirements to obtain a safekeeping permit. Defendant must relinquish any firearm, other weapon, ammunition or firearm license ordered to be relinquished no later than 24 hours after service of this order. If, due to their current location, firearms, other weapons, or ammunition cannot reasonably be retrieved within the time for relinquishment, Defendant shall provide to the sheriff or the appropriate law enforcement agency an affidavit listing the firearms, other weapons, or ammunition and their current location no later than 24 hours after service of this order. Failure to timely relinquish an 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. § 6105.

_____ 7. The following additional relief is granted:

_____ Defendant is prohibited from stalking, as defined in 18 Pa. C.S. § 2709.1, or harassing, as defined in 18 Pa. C.S. § 2709, the following family and household members of Plaintiff:

Name	Address (optional)	Relationship to Plaintiff
_____	_____	_____
_____	_____	_____
_____	_____	_____

_____ Other relief: _____

_____ 8. The Pennsylvania State Police, the municipal police, or the sheriff shall accompany Plaintiff to his or her residence to retrieve personal belongings or accompany Plaintiff while the petition or order is served on Defendant.

_____ 9. A certified copy of this order shall be provided to the _____ Police Department where the Plaintiff resides.

_____ 10. This Order supersedes any prior Protection From Abuse Order obtained by the same Plaintiff against the same Defendant.

11. THIS ORDER APPLIES IMMEDIATELY TO DEFENDANT AND SHALL REMAIN IN EFFECT UNTIL OTHERWISE MODIFIED OR TERMINATED BY THIS COURT AFTER NOTICE AND HEARING.

NOTICE TO DEFENDANT

Defendant is hereby notified that failure to obey this order may result in arrest as set forth in 23 Pa. C.S. § 6113 and that violation of the order may result in a charge of indirect criminal contempt as set forth in 23 Pa. C.S. § 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. § 6108(g). If Defendant is required to 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 or the appropriate law enforcement agency 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 under 18 Pa. C.S. § 6105 and to federal criminal charges and penalties under 18 U.S.C. § 922(g)(8) and the Violence Against Women Act, 18 U.S.C. §§ 2261-2262.

NOTICE TO SHERIFF, POLICE AND LAW ENFORCEMENT OFFICIALS

This Order shall be enforced by the police department or sheriff who has jurisdiction over Plaintiff's residence or any location where a violation of this order occurs or where Defendant may be located. If Defendant violates Paragraphs 1 through 6 of this order, Defendant shall 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 a police officer or sheriff.

Subsequent to an arrest, the law enforcement officer or sheriff shall seize all firearms, other weapons, or ammunition in Defendant's possession which were used or threatened to be used during the violation of the protection order or during prior incidents of abuse and any other firearms in Defendant's possession. Any firearm, other weapon, ammunition, or any firearm license must be delivered to the sheriff or the appropriate law enforcement agency, which sheriff or agency shall maintain possession of the firearms, other weapons, or ammunition 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 or sheriff made the arrest.

BY THE COURT:

Date

JUDGE

_____	:	IN THE COURT OF COMMON PLEAS
Plaintiff	:	OF LACKAWANNA COUNTY
	:	
and/or on behalf of	:	FAMILY DIVISION
	:	
_____	:	PROTECTION FROM ABUSE
	:	
vs.	:	_____ FC _____
	:	
_____	:	
Defendant	:	

.....

NOTICE

1. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S.A. Section 4904, relating to unsworn falsification to the authorities.
2. I understand that if I do not appear at the scheduled hearing, my Protection from Abuse Order may be dismissed.
3. I understand that if I do not appear at an Indirect Criminal Contempt Hearing the charges and/or the Protection from Abuse Order may be dismissed.
4. I understand that I have the right to request to withdraw my Protection from Abuse Petition on the scheduled hearing date before the Judge.
5. I understand that I have the right to request to vacate and/or to modify my Protection from Abuse Order. I understand that this must be done before a Judge on a scheduled hearing date. I further understand that I must go to the Family Court Administrator's Office to schedule a court date.
6. I understand that if the Defendant violates the Protection from Abuse Order, I can call and/or go to the local police department and report the incident.
7. I understand that I need to provide the Defendant's address for this Order to be served.

_____ I have read and fully understand the above.

_____ I am unable to read and/or write, but the above was explained to me and I fully understand.

Plaintiff's Signature

Date

(Name)

IN THE COURT OF COMMON PLEAS
OF LACKAWANNA COUNTY

(Address)

FAMILY DIVISION

(City, State, Zip Code) (Plaintiff)

PROTECTION FROM ABUSE

vs.

_____ FC _____

(Name)

(Address)

(City, State, Zip Code) (Defendant)

.....

AFFIDAVIT OF SERVICE

I, _____, of the _____ Police
Department, hereby state that I served a copy of the Notice of Hearing and Order in the above
captioned Protection from Abuse action upon the Defendant, _____
by handing the papers to and explaining to the Defendant 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 to the best of my
knowledge and belief. I understand that false statements herein are made subject to the penalties
of 18 Pa. C.S.A., Section 4904, relating to unsworn falsification to authorities.

Signature

Title

Date

****PLEASE FAX THIS AFFIDAVIT OF SERVICE TO THE LACKAWANNA COUNTY SHERIFF'S OFFICE AT 570-496-7797 OR TO THE FAMILY COURT ADMINISTRATOR'S OFFICE AT 570-963-5693.**

(Name)

IN THE COURT OF COMMON PLEAS
OF LACKAWANNA COUNTY

(Address)

FAMILY DIVISION

(City, State, Zip Code) (Plaintiff)

PROTECTION FROM ABUSE

vs.

_____ FC _____

(Name)

(Address)

(City, State, Zip Code) (Defendant)

.....

**ATTACHMENT A
FIREARMS, OTHER WEAPONS, OR 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, or ammunition against Plaintiff or the minor child(ren). (Include address and location)

	<u>Firearm/other weapon/ammunition</u>	<u>Location</u>
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 address and location)

	<u>Firearm/other weapon/ammunition</u>	<u>Location</u>
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____

(c) request that the court order Defendant to relinquish the following firearms, other weapons, or ammunition. (Include address and location)

	<u>Firearm/other weapon/ammunition</u>	<u>Location</u>
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____

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

Signature

Date

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