

Protection From Abuse Orders (PFA) 101



- What it is and how to petition for one.

A Protection From Abuse Order...



- Is a petition you file asking the court to protect you from harm or the threat of harm posed by a family member or someone with whom you have a household or blood relationship.
 - If the protection is for someone under 18, a parent or legal guardian may file a petition on their behalf.
- Does not require a fee to file a petition
- Does require you to testify before a judge to describe the harm or threat of harm that has occurred.
 - The person that is causing you harm or threatening to cause you harm is the ***Defendant***.
 - You are the ***Plaintiff***.



Filing a Petition



- At **A Way Out**, a Legal Advocate can help you complete the petition paperwork and can be with you whenever you have to go to court.
- If you are not a client at **A Way Out**, our Legal Advocate will complete an intake process with you and discuss the resources that are available to you.
- You will be asked to write down a description of what the defendant has done that has been harmful to you or represents a threat to do you harm, starting with the **most recent event**. This information will be needed for the petition.
- Once the petition paperwork is completed, our Legal Advocate will submit the petition to a judge to schedule a preliminary hearing with you where the judge will listen to your reasons for wanting a PFA.

Three stages of PFA's



Emergency PFA – This type of PFA would be done only if you feel you are in immediate danger.

Your petition would go before a district magistrate or judge as soon as one is available.

The magistrate or judge will ask you to describe what the defendant has done that has been harmful to you or represents a threat to do you harm, starting with the **most recent event**.

If your petition is granted, it is in effect only until a hearing for a **Temporary PFA** is scheduled with a judge, usually by the next business day.

Three stages of PFA's



Temporary PFA – At this hearing, the judge will ask you to describe what the defendant has done that has been harmful to you or represents a threat to do you harm, starting with the ***most recent event***.

The judge will then determine if there is sufficient evidence to grant a Temporary PFA.

This PFA is in effect until a hearing is held with *both you and the defendant* to rule on a **Final PFA**, usually within 2-3 weeks.

Three stages of PFA's



***Final* PFA** - At the hearing with both you and the defendant, the judge will hear from both sides and decide whether or not to grant a ***Final* PFA**.

The length of time the ***Final* PFA** is in effect will be determined by the judge and can be as short as a few months or as long as 3 years.

Still have questions?



The Legal Advocates at **A Way Out** are here to answer questions about the PFA process. Information on where you can get legal assistance is provided clients when they file for a PFA. *Legal Advocates are not permitted to provide legal advice.*

If you have an emergency situation, you can call our 24/7 Helpline at 814-274-0240 or toll free at 877-334-3136

You are also welcome at our office. Our hours are 8:30 a.m. – 4:30 p.m., Monday through Friday and our office number is 814-274-0368.

Additional information about **A Way Out** and resources that are available to you can be found at our website at www.myawayout.org