



KNOWLEDGE NUGGET for Attorneys

▶ PFA Petition Filing
at *A Way Out*

Should you have any questions, please feel free to contact our office at 814-274-0368.

How is the decision made to file a PFA?

- At ***A Way Out***, the **client** chooses whether or not to file a petition for a PFA.
 - Any individual who is not a current client has to complete an intake process with us, including a discussion of the resources and options that are available to assist them in their specific situation. Filing a PFA is one of those options.
 - Some individuals contact us when they have already decided that they wish to file a PFA . These are generally cases where the person feels that they are in imminent danger and are requesting an Emergency PFA.



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How is the decision made to file a PFA?

- ❑ In all cases, ***Legal Advocates are not permitted to offer legal advice.*** If a client requests legal representation, they are referred to Northwest Legal Services.
- ❑ Additionally, as a client of ***A Way Out***, they have access to legal information and consultation via the ***PASafeLaw*** website.



What role does a *A Way Out* staff play in filing the petition?

- ❑ A staff member, usually a Legal Advocate, arranges for a hearing with a judge or magistrate, depending on whether or not the client has requested an Emergency PFA.
- ❑ Clients are given a notebook to write down the most recent incident of threat or abuse that is the basis for their petition. They are also encouraged to document any other incidents of threat or abuse. This provides the client with a way to gather their thoughts before they go before the judge or magistrate.
- ❑ The staff person collects the information required for the petition, reviews it with the client for accuracy and forwards the petition to the Prothonotary's office (or to the magistrate's office in the case of an Emergency PFA). Referral information is provided to the client and Northwest Legal Services to arrange for legal representation at the Final PFA hearing.



What role does a *A Way Out* staff play after the petition is filed?

- ❑ **Legal Advocates** typically accompany clients to their hearings for emotional support unless the client elects not to have them there.
- ❑ If the PFA is granted, clients are notified by the Deputy Sheriff when their PFA has been served. A **counselor** or **Legal Advocate** will review the conditions of the PFA with the client and options for responding to any perceived violations of the PFA.
- ❑ Regardless of whether or not the PFA is granted, the client is assisted in developing a **Safety Plan**. The counselor or Legal Advocate also follows up with clients prior to hearings to insure that they will appear. It is the client's responsibility to notify **A Way Out** if a continuance has been filed and the hearing rescheduled.
- ❑ **A Way Out** provides ongoing counseling and advocacy as long as a client requests our services.



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