

PHILADELPHIA EMERGENCY DOMESTIC VIOLENCE SITE

IS IT POSSIBLE TO GET A PROTECTION FROM ABUSE ORDER WHEN FAMILY COURT IS CLOSED?

Yes, you can ask for an emergency protection from abuse order when Family Court is closed at the Emergency Domestic Violence Site located at the **Criminal Justice Center, Room B-03 at 1301 Filbert St, Philadelphia, PA (215-683-7280).**

An emergency order is available if you believe that you or your children are in immediate and present danger of being harmed by a relative or intimate partner before Family Court is open (M-F, 8-5).

WHAT CAN BE INCLUDED IN AN EMERGENCY ORDER?

The hearing officer can ONLY 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, and
- leave your Philadelphia County residence if you jointly or solely own or lease it.

AN EMERGENCY ORDER CANNOT INCLUDE CUSTODY OR SUPPORT OF CHILDREN OR REMOVAL OF WEAPONS.

WHO CAN ASK FOR AN EMERGENCY PROTECTION FROM ABUSE ORDER?

An emergency protection from abuse order can only be given to persons 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 or marriage

You cannot get a protection from abuse order against anyone else who might be threatening you (ex: neighbor, co-worker, stranger).

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 IS THE PROCESS FOR GETTING AN EMERGENCY ORDER?

You will be interviewed and helped in preparing a petition. A hearing officer will read your petition and ask you to explain what happened to you and why you need immediate protection. If the hearing officer approves your petition, they will issue an emergency order, **which lasts until 5 p.m. the next day that Family Court is open.** You must go to Family Court at 1501 Arch Street during business hours the next day, at which time the Family Court may issue a temporary order. You will also be given a date to return for a hearing.

WHAT DOES IT COST?

You do not have to pay to file a PFA petition.

HOW LONG DOES THE EMERGENCY ORDER LAST?

Your emergency order will last until 5 p.m. on the next day that Family Court is open, at which time the Family Court may issue a temporary order. If you received an emergency PFA, go to Family Court on the next business day at 215-686-3512 to receive instructions for obtaining a copy of the temporary order if one has been issued. Temporary orders can be picked up from the Domestic Violence Filing Unit of the Family Court (8th Floor) between 8 a.m. and 4 p.m. from Monday through Friday.

In some cases, the judge who reviews your order might change it, so the temporary order could be different from the emergency order. For example, if you were granted “protection only” at the emergency site, the reviewing judge may have increased your protection and granted your request to evict the defendant from the household. That is why it is important to get the temporary order from Family Court on its next open day.

See the brochure **Protection from Abuse in Philadelphia County** for further information on the process in Family Court.

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

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wait, because the judge looks at the facts from the most recent abusive incident to make a decision.

WHAT HAPPENS IF THE HEARING OFFICER GRANTS THE EMERGENCY ORDER?

The hearing officer who issues your order will give you 1) a copy of the order for yourself, 2) a copy for service on the defendant (to tell this person about the order and upcoming hearing), 3) instructions on obtaining police assistance to serve the defendant, and 4) a Verification of Service form.

Any responsible adult, who is not a party or related to a party may serve the papers, but you should consider having the Philadelphia Police do it. Take all the papers the court gave you to the Philadelphia Police District Headquarters where the Defendant can be found (residence, work, etc.) and ask an officer to serve the PFA order. The person who serves the papers on the Defendant must complete, sign and return the original Verification of Service to you. You must bring this original Verification of Service to court on your hearing date. **Go to the hearing even if the defendant has not been served with the papers.** You may get a new hearing date to give you time to serve the defendant. You may ask the court to keep any temporary order in place until the next hearing date.

WHAT IF I AM DENIED AN EMERGENCY ORDER?

If you are denied an emergency order, you may still be able to get a regular PFA order when Family Court re-opens. Being turned down for an emergency order means the hearing officer determined that you were not in **immediate danger** and could wait to file the usual way. Even if this happens, it may be that you have experienced a pattern of domestic violence that can be addressed through Family Court's normal process.

Go to the **Domestic Violence Filing Unit at Family Court** (1501 Arch Street, 8th Floor), **Monday – Friday, 8 a.m. to 3 p.m.** for help and to file a petition. Arrive as early as possible (preferably between 8 a.m. and noon) to make sure you can file the petition and appear before a judge and get a ruling on your petition the same day. It will take time, so be prepared to wait.

IS THERE A DEADLINE FOR GOING TO FAMILY COURT IF I WAS DENIED AN EMERGENCY ORDER?

No, but if you believe you are in danger, it is a good idea to go as soon as possible. It will be harder to convince a judge you need protection the longer you

Remember: If you get an emergency order, your next hearing will be held at Family Court, at 1501 Arch Street, not at the Criminal Justice Center where you got your emergency order. You may contact one of the resources listed below for legal help.

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
- **LUTHERAN SETTLEMENT HOUSE:** 215-426-8610
- **CONGRESO DE LATINOS UNIDOS**
215-763-8870
- **KOREAN WOMEN'S CENTER:** 215-869-5703
- **WOMEN'S LAW PROJECT**
<https://www.womenslawproject.org/protection-from-abuse/>

* SAFETY TIPS *

KEEP A COPY OF THE TEMPORARY PROTECTION ORDER WITH YOU AT ALL TIMES, IN YOUR CAR, IN YOUR HOME, AND IN YOUR PLACE OF EMPLOYMENT.

Call the police if the order is violated and show the officers the order.

IF YOU ARE IN DANGER, CALL 911