

## **TYPES OF PROTECTION ORDERS**

There are three types of protection orders. They are:

1. Protection from Abuse
2. Protection from Intimidation
3. Sexual Violence Protection

Each protection order, including who is eligible, is explained later.

## **WHERE CAN I FILE A PROTECTION ORDER?**

A petition can be filed with the Court of Common Pleas at the York County Judicial Center, 45 North George Street, York, PA 17401 during business hours. The process can take up to two hours and an ex parte hearing in front of a judge will take place during a specific time.

## **WHAT HELP IS AVAILABLE AT NIGHT OR ON WEEKENDS?**

If you have been assaulted, you should contact your local police department immediately. If you need to file for a Protection Order and the Judicial Center is closed, papers may be filed before a district justice. If he/she believes it is necessary, they may issue an Emergency Protection Order. The Emergency Protection Order will only be good to the end of the next business day. A petition must be filed with the Protection from Abuse Office early the next morning.

## **DO I NEED AN ATTORNEY?**

An attorney is not required and one will not be provided for you. If you wish to have an attorney represent you, you may contact Attorney Connection or Mid Penn Legal Services, whose information is located on the back of this pamphlet.

## **HOW IS THE ABUSER NOTIFIED OF THE COURT ORDER?**

The abuser must be served with a copy of the Protection Order and notice of hearing. The York County Sheriff's Office will attempt service within the first 24 hours.

## **HOW DO I GET A FINAL PROTECTION ORDER?**

A hearing must be set within (10) business days from the date you filed the petition. You must come to the hearing prepared to prove that the abuse occurred. The Judge will consider issuing a Final Order, which may be issued for up to 36 months.

## **WHAT IF THE ABUSER VIOLATES THE ORDER?**

You should contact the police immediately and report the violation. An abuser who violates a Protection Order and is found guilty can face up to 6 months imprisonment and/or a \$300.00 to \$1000.00 fine for each violation that has occurred.

## **WHAT IF I WANT TO MAKE CHANGES TO MY FINAL ORDER PROTECTION ORDER?**

Even if you grant the abuser permission to contact you, the abuser is still subject to prosecution for contempt unless the Protection Order is modified by the Court.

To modify a Protection Order, you must file a modification petition with the Protection from Abuse office.

## **CAN I BE PROTECTED IN ANOTHER COUNTY OR STATE?**

Yes. If you relocate, work, or visit relatives in another county or state, you should:

1. file a certified copy of the Order with the civil court clerk or Prothonotary of that county
2. hand deliver a certified copy to the local police department which covers the area in which you are in

Protection Orders are registered immediately with the Pennsylvania State Police and NCIC.

Protection Orders are enforceable in all fifty (50) states, District of Columbia, Tribal Lands, U.S. Territories, and the Commonwealth of Puerto Rico.

## **DOMESTIC VIOLENCE PROGRAMS**

Domestic Violence services are available in every county of Pennsylvania. These agencies have legal advocates who may accompany you throughout this process, and also provide you with additional services.

The following agencies are available in York County:

**ACCESS (York)** at 1-800-262-8444 or 717-846-5400

**Safe Home (Hanover)** at 717-632-0007

## **PROTECTION FROM ABUSE ORDERS**

You can file for a Protection from Abuse Order if the person who has or is trying to harm you is:

1. your spouse or ex-spouse
2. your current or former sexual/intimate partner
3. your parent or child
4. a certain other blood relative

If you are seeking a Protection Order and you are a minor, a parent, adult household member or guardian must file on your behalf.

### **What is Abuse?**

Under the Protection from Abuse Act, abuse is defined as any one of the following:

1. attempting to, or intentionally or recklessly causing bodily injury, serious bodily injury, rape, spousal sexual assault, or involuntarily deviate sexual intercourse with or without a deadly weapon.
2. placing another in fear of serious bodily injury
3. false imprisonment, as defined under the crimes code and/or
4. physical or sexually abusing a minor

### **What Protection Might I Receive?**

The Court may order the abuser:

1. to stop abusing you and/or your children
2. to stay away from you, your residence, your school, and your place of employment
3. to refrain from harassing and/or stalking you
4. to turn any over any weapons that were used or threatened to be used during the abuse
5. to pay you for financial losses resulting from the abuse

The Court may also award you temporary custody of your children and may grant you temporary support for yourself and/or the children of the abuser.

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## **PROTECTION FROM INTIMIATION**

You can file for a Protection from Intimidation Order if the person who has or is trying to harm you is:

1. over the age of 18 years old and
2. the victim is under the age of 18 and
3. there is no family, dating, intimate or household relationship between them

A parent, adult household member or guardian must file on your behalf.

### **What is Intimidation?**

Under the Protection of Victims of Sexual Violence or Intimidation (PSVI) Act , intimidation is defined as:

Conduct committed by a person 18 years or older against a person under 18 years when there is no family, dating, intimate or household relationship between them, under the following statutes:

1. harassment
2. stalking

### **What Protection Might I Receive?**

The court may order:

1. No Contact
2. Any other appropriate relief

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## **SEXUAL VIOLENCE PROTECTION**

You can file for a Sexual Violence Protection Order if there is no family, dating, intimate or household relation between you and the person who has or is trying to harm you.

If you are seeking a Protection Order and you are a minor, a parent, adult household member or guardian must file on your behalf.

### **What is Sexual Violence?**

Under the Protection of Victims of Sexual Violence or Intimidation (PSVI) Act , sexual violence is defined as:

Sexual Violence is defined as:

1. sexual offenses
2. endangering the welfare of children if the offense involved sexual contact with the victim
3. corruption of minors
4. sexual abuse of children
5. unlawful contact with minor
6. sexual exploitation of children

### **What Protection Might I Receive?**

The court may order:

1. No Contact
2. Any other appropriate relief

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## **HOW CAN I FIND AN ATTORNEY?**

You may contact:

### **ATTORNEY CONNECTION**

137 East Market Street

York, PA 17401

(717) 854-8755

[www.yorkbar.org/attorneyconnection.com](http://www.yorkbar.org/attorneyconnection.com)

### **MID PENN LEGAL SERVICES**

29 N. Queen Street

York, PA 17403

(717) 848-3605

You may also check your yellow pages under “attorney” for more details.

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## **HOW DO I GET MORE INFORMATION?**

You may contact:

### **PROTECTION FROM ABUSE OFFICE**

45 North George Street

York, PA 17401

(717) 771-9662

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# **PROTECTION ORDERS**

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### **PROTECTION FROM ABUSE OFFICE**

York County Judicial Center

45 North George Street

York PA 17401

Ph. (717) 771-9662

[www.yorkcountypa.gov](http://www.yorkcountypa.gov)

Hours: 8:30 AM – 4:30 PM

Monday - Friday