

PROTECTION FROM INTIMIDATION
PETITION

**PLEASE COMPLETE
THE ENTIRE PACKET
AND BRING TO THE
PROTHONOTARY'S
OFFICE LOCATED AT
THE PIKE COUNTY
COURTHOUSE
412 BROAD STREET
ONCE COMPLETED**

Protection from Intimidation Petition INSTRUCTIONS AND FREQUENTLY ASKED QUESTIONS

*YOU MUST COMPLETE THE **ENTIRE PACKET**, INCLUDING THE STARRED PORTIONS OF THE CIVIL COVER SHEET. ONCE COMPLETE, BRING YOUR PACKET TO THE PROTHONOTARY'S OFFICE LOCATED AT THE COURTHOUSE AT 412 BROAD STREET, MILFORD, PA.

What is a Protection From Intimidation Order?

A Protection from Intimidation Order is a civil order that protects minor victims of intimidation.

What is Intimidation?

Under the Protection of Victims of Sexual Violence Act, intimidation is defined as *any* conduct between persons who are not family members or household members that would constitute one or more of the following crimes:

1. 18 Pa.C.S. § 2709(a)(4), (5), (6) or (7) (relating to harassment) where the conduct is committed by a person 18 years of age or older against a person under 18 years of age.
2. 18 Pa.C.S. § 2709.1 (relating to stalking) where the conduct is committed by a person 18 years of age or older against a person under 18 years of age.

**The Act does not cover any of the above actions for family or household members.*

**The Act does not cover any of the above actions for adult victims.*

**The Act is not the appropriate avenue to obtain custody, support or exclusive possession of a home. Please seek legal advice if any of the above is your sole purpose.*

Who May File for a Protection of Victims of Intimidation Petition?

You may file for protection in Pike County if you live here, the defendant lives here, or the incident occurred here.

A person can only file a Protection from Intimidation against the perpetrator of Intimidation.

**Since the victim is a minor, a parent or guardian must file on behalf of the child.*

You may not file if the perpetrator is a family or household member. If you have been abused by a family or household member, please complete the Protection from Abuse Petition packet and **NOT this packet.*

Family and household members includes:

- 1. Spouses or former spouses**
- 2. Current or former sexual or intimate partners**
- 3. Household members related by blood**
- 4. Household members related by marriage**
- 5. Same sex couples**
- 6. Parents, children and siblings**

How and Where Do I File for Protection from Intimidation Petition?

You must appear in person at the Prothonotary's Office at the Courthouse, 412 Broad Street, Milford, PA 18337 with a completed packet. No one on staff is able to provide legal advice to you; the staff will collect and review the paperwork that is needed. The staff may not give you legal advice.

You must be a victim of intimidation (read the definition above) in order to qualify for the Protection from Intimidation Order. After completing ALL of the paperwork, the staff will take you and your petition before the Judge for an ex parte hearing.

Petitions are presented to the judge daily:

- In order to obtain an Order from the Judge, you need to be at the Courthouse with your entire packet completed **no later than 12:00 Noon**. *Clients arriving after 12:00 Noon will be referred to their Magisterial District Judge.*

What Should I Bring With Me When I Go To File For A Protection from Intimidation Order?

Please come prepared with the following information:

- Names (all persons and parties)
- Date of birth (all persons and parties)
- Social security number (all persons and parties)
- Addresses (all persons and parties) *You must have a valid address for the Defendant
- Physical description of the Defendant
- Vehicle make, model, style, and license plate number of the Defendant

How Do I Receive a Temporary Protection Order After Filing a Petition for Protection from Intimidation?

After filing a petition for protection, a judge will review your paperwork and will conduct an ex parte hearing to determine if a temporary protection order will be granted. If the judge believes a Temporary Order should be granted, he will issue a Temporary Protection from Intimidation Order. If you are granted a Temporary Order, then a Hearing to determine whether a Final Order will be granted will be scheduled before a judge within 10 days.

What Help is Available at Night, On Weekends or When the Courts are Closed?

In case of an emergency or if you've been a victim of intimidation, contact your local police department or 911. A Petition for Emergency Relief may be filed with the on call district court (the police will provide you with the name of the on call emergency magisterial district judge). If the magisterial district judge believes that you are in immediate danger, he/she may grant you an Emergency Protection from Intimidation Order.

****This emergency protection order will expire on the following business day. Be sure to go to the Pike County Courthouse between the hours of 8:30 am and 12:00 pm to file a Protection from Intimidation Petition if you want to pursue one.***

How Do I Get a Final Protection from Intimidation Order?

A hearing will be held in front of a judge within ten days of filing your petition with the court, and the judge will listen to the facts of your case. If the judge finds that the abuse has occurred, a Final Protection from Intimidation Order will be issued. The length can be from one (1) to thirty-six (36) months.

What Protection Will I Receive?

A Protection from Intimidation Order may contain the following relief:

1. direct the alleged assailant not to abuse, threaten, harass or stalk you.
2. direct the alleged assailant to stay away from your house or apartment, where you live, even if that is also the alleged assailant's home.
3. direct the alleged assailant to stay away from your school or where you work.
4. direct the alleged assailant to refrain from harassing you or your relatives.
5. direct the alleged assailant to pay you for losses resulting from the abuse. These could include medical bills and lost wages.
6. Direct the alleged assailant to pay your legal fees.

***Terms of order may vary depending on each specific circumstance.**

How Can I get a Copy of My Protection from Intimidation Order?

A copy of your Final Order will be mailed to you at your last known address filed with the Prothonotary. You can obtain a copy of your Protection Order by going to the Prothonotary located on the first floor of the Pike County Courthouse, 412 Broad Street, Milford, PA. There is a fee for copies.

How Can I Find a Lawyer?

North Penn Legal Services: 10 N. 10th St, Stroudsburg, PA; 570-424-5338

How Do I Withdraw My Temporary Protection from Intimidation Order?

You need to complete a Petition to Withdraw/Modify Protection Order and file it with the Prothonotary located on the first floor of the Pike County Courthouse, 412 Broad Street, Milford, PA. If the request is received prior to your Hearing date, your Hearing will be cancelled and your Protection from Intimidation Order will be Withdrawn.

How Do I Withdraw or Change My Final Protection from Intimidation Order?

If you wish to withdraw or change your Final Protection from Intimidation Order and you already had your Final Hearing, you would need to complete a Petition to Withdraw/Modify Protection Order and file it with the Prothonotary located on the first floor of the Pike County Courthouse, 412 Broad Street, Milford, PA. The Judge will set a Hearing date for you to present your request to withdraw or modify your Final Protection from Intimidation Order. The Judge would then decide whether to approve your request or not. All costs and fees must be paid before the Final Protection from Intimidation Order may be withdrawn.

How Do I File For Contempt of the Protection from Intimidation Order?

Contempt of a Protection from Intimidation Order can be filed by the police departments. If you call the police because you feel the defendant violated the Protection Order, and the police agree, they would file the necessary paperwork and a hearing would be scheduled.

The Plaintiff may also file a Private Indirect Criminal Contempt Complaint pursuant to 23 Pa.C.S.A § 6113.1.

How Do I File For an Extension of the Protection from Intimidation Order?

Any request for extension of a Final Protection from Intimidation Order, must be made in writing and filed with the Prothonotary located on the first floor of the Pike County Courthouse, 412 Broad Street, Milford, PA **at least two weeks prior to the expiration date** of the Final Order. A Hearing date will be set before a Judge to determine if there is sufficient evidence to extend the Final Protection from Intimidation Order.

VICTIM INFORMATION SHEET

You have been provided you with this blank Petition to complete. Please answer all relevant questions of the Petition in a full and complete manner. Please further note that you must include the Defendant's full name and physical address. Please note that there is no filing fee or court costs with regard to the filing of this Petition.

IF/WHEN THE COURT SETS A HEARING ON YOUR PETITION, YOU WILL RECEIVE THE CERTIFIED COURT ORDER AND PETITION. TAKE THEM TO YOUR ATTORNEY AT ONCE. IF YOU CANNOT AFFORD AN ATTORNEY, YOU MAY BE ELIGIBLE FOR LEGAL ASSISTANCE. TO FIND OUT IF YOU ARE ELIGIBLE, CALL NORTH PENN LEGAL SERVICES (1-877-953-4250). If you meet the income guidelines, they will give you instructions on how to proceed.

The Court serves a copy of all protection orders on the Pennsylvania State Police and local police departments. YOU SHOULD KEEP YOUR PROTECTION ORDER WITH YOU AT ALL TIMES.

For more information on domestic violence and to find out what other services may be available to you, contact Safe Haven of Pike County, 402 Broad Street, Milford, PA (570) 296-HELP (4357).

If a violation of any protection order occurs, you should contact your local police department or the Pennsylvania State Police by telephone immediately. You should be prepared to provide a copy of the protection order to the police. The police will determine whether procedures for initiating criminal charges against the Defendant for the alleged violation should be instituted.

PLEASE PROVIDE A PHONE NUMBER WHERE YOU CAN BE REACHED ON THE LAST PAGE OF THE PETITION UNDER YOUR SIGNATURE.

Supreme Court of Pennsylvania

Court of Common Pleas
Civil Cover Sheet

Pike

County

For Prothonotary Use Only:	
Docket No:	

The information collected on this form is used solely for court administration purposes. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or rules of court.

SECTION A

Commencement of Action:	
<input type="checkbox"/> Complaint	<input type="checkbox"/> Writ of Summons
<input type="checkbox"/> Transfer from Another Jurisdiction	<input checked="" type="checkbox"/> Petition
	<input type="checkbox"/> Declaration of Taking
Lead Plaintiff's Name:	Lead Defendant's Name:
Are money damages requested? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Dollar Amount Requested: <input type="checkbox"/> within arbitration limits <input type="checkbox"/> outside arbitration limits (check one)
Is this a Class Action Suit? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Is this an MDJ Appeal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Name of Plaintiff/Appellant's Attorney: _____	
<input type="checkbox"/> Check here if you have no attorney (are a Self-Represented [Pro Se] Litigant)	

SECTION B

Nature of the Case: Place an "X" to the left of the **ONE** case category that most accurately describes your **PRIMARY CASE**. If you are making more than one type of claim, check the one that you consider most important.

TORT (do not include Mass Tort)

Intentional

Malicious Prosecution

Motor Vehicle

Nuisance

Premises Liability

Product Liability (does not include mass tort)

Slander/Libel/ Defamation

Other: _____

CONTRACT (do not include Judgments)

Buyer Plaintiff

Debt Collection: Credit Card

Debt Collection: Other _____

Employment Dispute: Discrimination

Employment Dispute: Other _____

Other: _____

CIVIL APPEALS

Administrative Agencies

Board of Assessment

Board of Elections

Dept. of Transportation

Statutory Appeal: Other _____

Zoning Board

Other: _____

MASS TORT

Asbestos

Tobacco

Toxic Tort - DES

Toxic Tort - Implant

Toxic Waste

Other: _____

REAL PROPERTY

Ejectment

Eminent Domain/Condemnation

Ground Rent

Landlord/Tenant Dispute

Mortgage Foreclosure: Residential

Mortgage Foreclosure: Commercial

Partition

Quiet Title

Other: _____

MISCELLANEOUS

Common Law/Statutory Arbitration

Declaratory Judgment

Mandamus

Non-Domestic Relations Restraining Order

Quo Warranto

Replevin

Other: _____

PROFESSIONAL LIABILITY

Dental

Legal

Medical

Other Professional: _____

PROTECTION FROM INTIMIDATION AFFIDAVIT

DEFENDANT'S PHYSICAL DESCRIPTION:

HAIR: _____ EYES: _____
HEIGHT: _____ WEIGHT: _____
BUILD: _____ TATOOS: _____
HAIR LENGTH: _____
OTHER: _____

RACE OF DEFENDANT: (CIRCLE ONE)

- I - AMERICAN INDIAN/ALASKAN NATIVE
- A - ASIAN/PACIFIC ISLANDER
- B - BLACK
- W - WHITE
- U - UNKNOWN

HISPANIC SHOULD BE ENTERED WITH RACE CODE MOST CLOSELY REPRESENTING THE INDIVIDUAL.
(EXAMPLE: W OR B)

SPECIFIC DIRECTIONS TO WHERE THE DEFENDANT CAN BE LOCATED IN ORDER TO SERVE PAPERS ON HIM/HER: _____

IN THE COURT OF COMMON PLEAS OF
PIKE COUNTY, PENNSYLVANIA
CIVIL

Plaintiff

v.

_____ Docket Number:

Defendant

ENTRY OF APPEARANCE AS A SELF REPRESENTED PARTY

1. I am the Plaintiff Defendant (**mark one**) in the above captioned:
 Custody Divorce Protection Petition Support (**Mark One**)

2. This is is not (**mark one**) a new case and I am representing myself in this case and have not hired an attorney to represent me.

OR (check one box only please)

 This is NOT a new case and _____ previously
(Name of Attorney)
represented me in this case. I have decided not to be represented by that attorney and direct the Prothonotary to remove that attorney as my counsel of record in this case.

OR (check one box only please)

 I am entering my appearance as a self-represented party and my attorney acknowledges his/her withdrawal as my attorney in this case.

Attorney Signature

3. My address for the purpose of receiving all future pleadings and other legal notices is:

I understand that this address will be the only address to which notices and pleadings in this case will be sent, and that I am responsible for regularly checking mu mail at this address to ensure that I do not miss important deadlines and proceedings.

4. My telephone number where I can be reached during normal business hours is
(____) _____,

5. My email address is: _____

6. I UNDERSTAND THAT I MUST FILE A NEW FORM EVERY TIME MY ADDRESS OR TELEPHONE NUMBER CHANGES.

7. I have provided a copy of this form to all other attorneys or self-represented parties at the following addresses as listed below:

Name: _____ Address: _____
Name: _____ Address: _____

8. I fully understand that by deciding to represent myself, the Court will hold me to the same standards of knowledge regarding the statutory law, evidence law, Local and State Rules of Procedure and applicable case law as a Pennsylvania Licensed attorney, and that I must be fully prepared to meet those responsibilities.

I verify that the statements made in this Entry of Appearance as a Self-Represented Party are true and correct. I understand that if I make false statements herein, that I am subject to the criminal penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities which could result in a fine and/or prison term.

Date

Signature

PETITION FOR PROTECTION OF VICTIMS OF INTIMIDATION

IN THE COURT OF COMMON PLEAS OF PIKE COUNTY, PENNSYLVANIA
NO. _____

1. PLAINTIFF

--	--

First Middle Last Plaintiff DOB

Plaintiff's Address: Plaintiff's address is confidential or Plaintiff's address is:

V.

2. DEFENDANT

--

First Middle Last Suffix

Defendant's Address:

Defendant's Place of employment is:

DEFENDANT IDENTIFIERS			
DOB		HEIGHT	
SEX		WEIGHT	
RACE		EYES	
HAIR			
SSN			
DRIVERS LICENSE #			
EXP DATE		STATE	

3. I am filing this Petition on behalf of: Another Person

Please answer all questions referring to the minor child as the "Plaintiff", and provide your name and address here, as filer, unless confidential.

Filer's Name:

--

First Middle Last Suffix

Filer's Address is Confidential or Filer's address is:

Indicate the relationship of "Another Person" with Filer:

- parent of minor Plaintiff(s)
- applicant for appointment as guardian ad litem of minor Plaintiff(s)
- court appointed guardian of incompetent Plaintiff(s)

Name of minor child for whom protection is sought and any other designated person:

Name: _____ DOB: _____

4. Is there a relationship between Plaintiff and Defendant? YES NO

If Yes, what is the relationship? _____

5. Have Plaintiff and Defendant been involved in any other legal proceedings? YES NO

If Yes, state when and where the case was filed and the court docket number, if known:

6. Has the Defendant been involved in any criminal proceedings? YES NO

If you answered Yes, is Defendant currently on probation or parole? _____

7. The facts of the most recent incident of intimidation are as follows:

Approximate Date: _____ Approximate Time: _____

Place: _____

Describe in detail what happened, including medical treatment sought, and/or calls to law enforcement. (attach additional sheets of paper if necessary):

8. If the Defendant has committed prior acts of intimidation against Plaintiff, describe these prior incidents, and indicate approximately when such acts occurred. (attach additional sheets of paper if necessary):

9. Identify the sheriff, police department, or law enforcement agency in the area in which Plaintiff lives that should be provided with a copy of the protection order:

10. Is there is an immediate and present danger for further acts of intimidation from Defendant against Plaintiff? YES NO

If Yes, please describe: _____

FOR THE REASONS SET FORTH ABOVE, I REQUEST THAT THE COURT ENTER A TEMPORARY ORDER AND, AFTER A HEARING, A FINAL ORDER THAT WOULD INCLUDE ALL OF THE FOLLOWING RELIEF (CHECK ALL FORMS OF RELIEF REQUESTED):

A. Restrain Defendant from having any contact with the victim, including, but not limited to, entering the victim's residence, place of employment, business or school.

B. Prohibit indirect contact with the victim through third parties.

C. Prohibit direct or indirect contact with the other designated persons:

Name	Address (optional)	Relationship to Plaintiff
<hr/>		
<hr/>		
<hr/>		

D. Order Defendant to pay the costs of this action, including filing and service fees.

E. Order the following additional relief not listed above:

F. Grant such other relief as the court deems appropriate, including, but not limited to, issuing an Order under 42 Pa. C.S. §62A11(b) related to the non-disclosure of the victim's address, telephone number, whereabouts or other demographic information.

G. Order the police, sheriff or other law enforcement agency to serve the 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 the Defendant's residence, where Defendant can be served.

VERIFICATION

I verify that the statements made in this Petition are true and correct to the best of my knowledge. I understand that false statements herein are made subject to the Penalties of 18 Pa. C.S.A. §4904, relating to unsworn falsification to authorities.

Signature _____ Date _____

PIKE COUNTY SHERIFF'S OFFICE COPY ONLY

Questions concerning P.F.A.

DEFENDANT'S INFORMATION:

Name: _____ DOB _____

Phone # _____ Cell # _____

Description of Defendant

POLICE SERVICE

Height _____ Weight _____
Hair Color _____ Sex _____
Eye Color _____ Age _____
Facial Hair _____ Race _____
Glasses _____ Other _____

PSP Blooming Grove _____
Milford Police _____
Eastern Pike Regional Police _____
Shohola Police _____
Other Agencies _____

Vehicle Description: _____

Work Place and Work Schedule:

Best Time to be Served? _____

Address to be served: _____

Directions to address to be served:

1) Owns Guns? YES ___ NO ___

2) Does the Defendant possess a carrying permit? YES ___ NO ___

Person & Phone number to call when Defendant has been served:

_____ DATE: _____

NOTE: PLEASE READ FINAL COPY SIGNED BY JUDGE BEFORE SERVING

PENNSYLVANIA STATE POLICE COPY ONLY
(Plaintiff's information to be faxed to the PSP (570) 226-5725)

Name: _____ DOB _____

Physical Address: _____

Mailing Address: _____

Home Phone #: _____

Cell Phone #: _____

Directions: _____

