TEMPORARY PROTECTION FROM ABUSE ORDER ☐ **Amended Order** ☐ **Continued Order**	IN THE COURT OF COMMON PLEAS OF _____COUNTY, PENNSYLVANIA NO.

PLAINTIFF

First Middle Last Plaintiff's DOB

Name(s) of all protected persons, including minor child/ren and DOB:

_____

_____

_____

V.

DEFENDANT

First Middle Last Suffix

Defendant's Address:

_____

_____

_____

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

CAUTION:

☐ **Weapon Involved**

☐ **Weapon Present on the Property**

☐ **Weapon Ordered Relinquished**

The Court Hereby Finds: That it has jurisdiction over the parties and subject matter, and Defendant will be provided with reasonable notice and opportunity to be heard.

The Court Hereby Orders:

☐ Defendant shall not abuse, harass, stalk, threaten, or attempt or threaten to use physical force against any of the above persons in any place where they might be found.

☐ Except for such contact with the minor child/ren as may be permitted under Paragraph 5 of this order, Defendant shall not contact Plaintiff, or any other person protected under this order, by telephone or by any other means, including through third persons.

☐ Additional findings of this order are set forth below.

Order Effective Date_____**Order Expiration Date** _____

NOTICE TO DEFENDANT

Defendant is hereby notified that failure to obey this order may result in arrest as set forth in 23 Pa.C.S. § 6113 and that violation of the order may result in a charge of indirect criminal contempt as set forth in 23 Pa.C.S. § 6114. Consent of Plaintiff to Defendant's return to the residence shall not invalidate this order, which can only be changed or modified through the filing of appropriate court papers for that purpose. 23 Pa.C.S. § 6108 (g). If Defendant is required to relinquish any firearms, other weapons, ammunition, or any firearm license, those items must be relinquished to the sheriff or the appropriate law enforcement agency within 24 hours of the service of this order. As an alternative, Defendant may relinquish any firearm, other weapon, or ammunition listed herein to a third party provided Defendant and the third party first comply with all requirements to obtain a safekeeping permit. If, due to their current location, firearms, other weapons, or ammunition cannot reasonably be retrieved within the time for relinquishment, Defendant shall provide an affidavit to the sheriff or the appropriate law enforcement agency listing the firearms, other weapons, or ammunition and their current location no later than 24 hours after the service of this order. Defendant is further notified that violation of this order may subject him/her to state charges and penalties under the Pennsylvania Crimes Code under 18 Pa.C.S. § 6105 and to federal criminal charges and penalties under 18 U.S.C. § 922(g)(8) and the Violence Against Women Act, 18 U.S.C. §§ 2261-2262.

AND NOW, this ___ day of _____, 20__, upon consideration of the attached Petition for Protection From Abuse, the court hereby enters the following Temporary Order:

☐ Plaintiff's request for a Temporary Protection Order is **denied**.
☐ Plaintiff's request for a Temporary Protection Order is **granted**.

☐ 1. Defendant shall not abuse, harass, stalk, threaten, or attempt or threaten to use physical force against any of the above persons in any place where they might be found.

☐ 2. Defendant is evicted and excluded from the residence at [NONCONFIDENTIAL ADDRESS FROM WHICH DEFENDANT IS EXCLUDED] or any other permanent or temporary residence where Plaintiff or any other person protected under this order may live. Plaintiff is granted exclusive possession of the residence. Defendant shall have no right or privilege to enter or be present on the premises of Plaintiff or any other person protected under this order.

☐ 3. Except for such contact with the minor child/ren as may be permitted under Paragraph 5 of this order, Defendant is prohibited from having ANY CONTACT with Plaintiff, or any other person protected under this order, either directly or indirectly, at any location, including but not limited to any contact at Plaintiff's school, business, or place of employment. Defendant is specifically ordered to stay away from the following locations for the duration of this order: _____

_____

☐ 4. Except for such contact with the minor child/ren as may be permitted under Paragraph 5 of this order, Defendant shall not contact Plaintiff, or any other person protected under this order, by telephone or by any other means, including through third persons.

☐ 5. CUSTODY.

☐ There is a current custody order as to the child/ren of the parties:

_____ _____
(county court) (docket number)

☐ THIS ORDER SHALL NOT SUPERSEDE THE CURRENT CUSTODY ORDER.

☐ THIS ORDER SUPERSEDES ANY PRIOR ORDER RELATING TO

CHILD CUSTODY.

☐ Until the final hearing, all contact between Defendant and the child/ren shall be limited to the following:

_____

_____

☐ Pending the outcome of the final hearing in this matter, Plaintiff is awarded temporary custody of the following minor child/ren:

_____

_____

The local law enforcement agency in the jurisdiction where the child/ren are located shall ensure that the child/ren are placed in the care and control of the Plaintiff in accordance with the terms of this order.

☐ 6. FIREARMS, OTHER WEAPONS, OR AMMUNITION RESTRICTIONS

Check all that apply.

☐ Defendant is prohibited from possessing or acquiring any firearms for the duration of this order.

☐ Defendant shall relinquish to the sheriff or the appropriate law enforcement agency the following firearm licenses owned or possessed by Defendant.

_____

_____

☐ Defendant is directed to relinquish to the sheriff or the appropriate law enforcement agency any firearm, other weapon, or ammunition listed in Attachment A to Temporary Order, which is incorporated herein by reference, under Defendant's control or in Defendant's possession.

Defendant may relinquish any firearms, other weapons, or ammunition to the sheriff or the appropriate law enforcement agency. As an alternative, Defendant may relinquish firearms, other weapons, or ammunition to a third party provided Defendant and the third party first comply with all the requirements to obtain a safekeeping permit. Defendant must relinquish any firearm, other weapon, ammunition, or firearm license ordered to be relinquished no later than 24 hours after service of this order. If, due to their current location, firearms, other weapons, or ammunition cannot reasonably be retrieved within the time for relinquishment, Defendant shall provide to the sheriff or the appropriate law enforcement agency an affidavit listing the firearms, other weapons, or ammunition and their current location no later than 24 hours after service of this order.

Failure to timely relinquish any firearm, other weapon, ammunition, or any firearm license shall result in a violation of this order and may result in criminal conviction under the Uniform Firearms Act, 18 Pa.C.S. § 6105.

☐ 7. The following additional relief is granted:

☐ Defendant is prohibited from stalking, as defined in 18 Pa.C.S. § 2709.1, or harassing, as defined in 18 Pa.C.S. § 2709, the following family and household members of Plaintiff:

Name	Address (optional)	Relationship to Plaintiff

☐ Other relief: _____

_____

_____

☐ 8. The Pennsylvania State Police, the municipal police, or the sheriff shall accompany Plaintiff to his or her residence to retrieve personal belongings or accompany Plaintiff while the petition or order is served on Defendant.

☐ 9. A certified copy of this order shall be provided to the sheriff or police department where Plaintiff resides and any other agency specified hereafter: [insert name of agency]

☐ 10. THIS ORDER SUPERSEDES ANY PRIOR PROTECTION FROM ABUSE ORDER OBTAINED BY THE SAME PLAINTIFF AGAINST THE SAME DEFENDANT.

11. THIS ORDER APPLIES IMMEDIATELY TO DEFENDANT AND SHALL REMAIN IN EFFECT UNTIL [insert expiration date] OR UNTIL OTHERWISE MODIFIED OR TERMINATED BY THIS COURT AFTER NOTICE AND HEARING.

NOTICE TO DEFENDANT

Defendant is hereby notified that failure to obey this order may result in arrest as set forth in 23 Pa.C.S. § 6113 and that violation of the order may result in a charge of indirect criminal contempt as set forth in 23 Pa.C.S. § 6114. Consent of Plaintiff to Defendant's return to the residence shall not invalidate this order, which can only be changed or modified through the filing of appropriate court papers for that purpose. 23 Pa.C.S. § 6108(g). If Defendant is required to relinquish any firearms, other weapons, ammunition, or any firearm license, those items must be

relinquished to the sheriff or the appropriate law enforcement agency within 24 hours of the service of this order. As an alternative, Defendant may relinquish any firearm, other weapon, or ammunition listed herein to a third party provided Defendant and the third party first comply with all requirements to obtain a safekeeping permit. If, due to their current location, firearms, other weapons, or ammunition cannot reasonably be retrieved within the time for relinquishment, Defendant shall provide an affidavit to the sheriff or the appropriate law enforcement agency listing the firearms, other weapons, or ammunition and their current location no later than 24 hours after the service of this order. Defendant is further notified that violation of this order may subject him/her to state charges and penalties under the Pennsylvania Crimes Code under 18 Pa.C.S. § 6105 and to federal criminal charges and penalties under 18 U.S.C. § 922(g)(8) and the Violence Against Women Act, 18 U.S.C. §§ 2261-2262.

NOTICE TO SHERIFF, POLICE AND LAW ENFORCEMENT OFFICIALS

This order shall be enforced by the police department or sheriff who has jurisdiction over Plaintiff's residence OR any location where a violation of this order occurs OR where Defendant may be located. If Defendant violates Paragraphs 1 through 6 of this order, Defendant shall be arrested on the charge of indirect criminal contempt. An arrest for violation of this order may be made without warrant, based solely on probable cause, whether or not the violation is committed in the presence of a police officer or sheriff.

Subsequent to an arrest, the law enforcement officer or sheriff shall seize all firearms, other weapons, or ammunition in Defendant's possession which were used or threatened to be used during the violation of the protection order or during prior incidents of abuse and any other firearms in Defendant's possession. Any firearm, other weapon, ammunition, or any firearm license must be delivered to the sheriff or the appropriate law enforcement agency, which sheriff or agency shall maintain possession of the firearms, other weapons, or ammunition until further order of this court, unless the weapon(s) are evidence of a crime, in which case, they shall remain with the law enforcement agency whose officer or sheriff made the arrest.

BY THE COURT:

_____

Judge

_____

Date

IN THE COURT OF COMMON PLEAS, ADAMS COUNTY, PENNSYLVANIA

ATTACHMENT A TO TEMPORARY ORDER
FIREARMS, OTHER WEAPONS, OR
AMMUNITION INVENTORY

It is hereby ordered that Defendant relinquish the following firearms, other weapons, or ammunition to the sheriff or the appropriate law enforcement agency:

Firearm/Other Weapon/Ammunition	Location
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	

☐ All firearms, other weapons, or ammunition owned or possessed by Defendant.

BY THE COURT

Judge_____

Date: _____

NOTICE**:** This attachment will be withheld from public inspection in accordance with 23 Pa. C.S. § 6108(a)(7)(v).