

Protecting Restraining Orders Notification and Management Procedure

DIVISION: PRESIDENT'S OFFICE

DEPARTMENT: CAMPUS SAFETY AND SECURITY

SUPERVISING STAFF MEMBER: DIRECTOR OF CAMPUS SAFETY AND SECURITY

FINAL APPROVAL: DIRECTOR OF CAMPUS SAFETY AND SECURITY

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In Pennsylvania, individuals may file for a protective restraining order, often referred to as a Protection From Abuse (PFA) Order, when they feel their safety and well-being and/or that of dependents in their care is threatened. The PFA must be granted by the court in order to be legally enforced.

Through the PFA, the court may 1) direct the abuser to stop threatening, physically abusing or stalking the victim; 2) evict/exclude the abuser from the home of the victim; 3) direct the abuser not to contact the victim at home, work or school; 4) give temporary custody of any children involved to the victim; 5) allow only supervised visitation or place limitations on visitation; and/or 6) order the abuser to surrender any firearms, other weapons, ammunition or firearms license owned or possessed by the abuser.

To file for a PFA in Luzerne County, go to the PFA Office located in the Luzerne County Courthouse, 200 North River Street, Wilkes Barre. The office is located on the second floor. It may take as long as two hours to complete the filing process. To file for a PFA in other counties, contact the Sheriff's Office or District Attorney's Office in that county for information, or check the county's web site.

Once a PFA request has been filed, a judge will review the petition and may grant a temporary PFA or set a hearing date. Either way, a copy of the petition will be served on the defendant. If the victim's address is to remain confidential, it should not be listed on the petition. A final hearing is held, usually within 10 business days of the filing date. The temporary PFA remains in effect until the hearing. The judge may request testimony from each party. After the hearing, the judge will decide whether a final PFA is warranted. A PFA can be obtained for a period of up to three years. The court or parties, through a consent agreement, will determine the exact duration of the order.

Once the PFA has been granted, students, employees and visitors should notify the Campus Safety and Security Office of the protective order and provide a copy of the order. In addition, students should also inform the Counseling Office of the protective order. Students regularly attending a dedicated off-campus site may instead notify the Center Director, who must then notify the LCCC Campus Safety and Security Office who will advise the director on the course of action to follow. Employees should additionally notify the Human Resources Office of the protective order. Staff who work at a dedicated off-campus site may instead notify the Center Director, who must then notify the Human Resources Office and LCCC Campus Safety and Security Office, who will contact the employee directly.