

ORIGINAL

IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA

In Re: 1901.3 (e) – Protection from Abuse

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No. 2022-003777

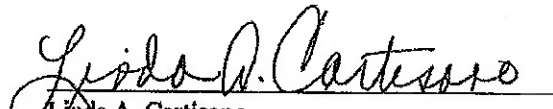
ADMINISTRATIVE ORDER

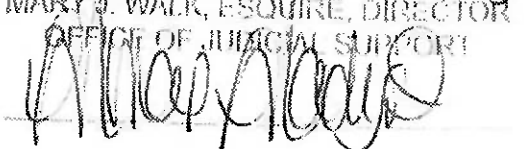
AND NOW, this 7th day of November, 2025, it is hereby ORDERED and DECREED that Rule 1901.3 (e) is hereby ADOPTED and effective immediately upon publication in the Pennsylvania Bulletin.

IT IS FUTHER ORDERED that in accordance with 201 Pa. Code Rule 103, the Solicitor for Internal Management shall:

- (a) File one (1) certified copy of this Order with the Administrative Office of the Pennsylvania Courts;
- (b) File two (2) certified copies of this Order with the Legislative Reference Bureau for publication in the Pennsylvania Bulletin;
- (c) Publish a copy of this Order on the website of the Delaware County Court of Common Pleas;
- (d) File one (1) certified copy of this Order with the Office of Judicial Support of the Court of Common Pleas of Delaware County; and
- (e) Forward one (1) copy of this Order for publication in the Delaware County Legal Journal.

BY THE COURT:


Linda A. Cartisano
President Judge

CERTIFIED A TRUE AND CORRECT
COPY FROM THE RECORD
THIS 13th DAY OF Nov, A.D. 2025
MARY J. WALK, ESQUIRE, DIRECTOR
OFFICE OF JUDICIAL SUPPORT


Rule 1901.3 (e) is hereby attached hereto:

1901.3 (e) Protection from Abuse

1. General rule - Protection from Abuse. Filing.

- a. Petitions filed pursuant to Pa.C.S. Chapter 61 (Protection from Abuse) shall be brought first to the Office of Judicial Support to be docketed and time-stamped and then immediately transferred to the Court Administrator for reference to the appropriate Judge.
- b. Assistance and advice to plaintiff.--The Office of Judicial Support shall:
 - i. Provide simplified forms and clerical assistance in English and Spanish to help with the writing and filing of the petition for a protection order for an individual not represented by counsel.
 - ii. Provide the plaintiff with written and oral referrals, in English and Spanish, to the local domestic violence program, to the local legal services office and to the county bar association's lawyer referral service.

2. Protection from Abuse. Temporary orders. Service

- a. If a plaintiff petitions for temporary order for protection from abuse and alleges immediate and present danger of abuse to the plaintiff or minor children, the court shall conduct an *ex parte* proceeding.
 - i. The court may enter such a temporary order as it deems necessary to protect the plaintiff and/or minor children when it finds they are in immediate and present danger of abuse. The order shall remain in effect until modified or terminated by the court after notice and hearing.
 - ii. The sheriff or other designated agency, in accordance with 23 Pa.C.S. § 6106 (d), shall promptly serve the petition, order and hearing notice on the defendant, and same serving agency shall promptly file an Affidavit of Service in the Court Administrator's Office. Court Administrator shall ensure that the Affidavit of Service is docketed and time stamped in the Office of Judicial Support with original to be maintained in the docketed file.
 - iii. The hearing shall not proceed without proof of docketed Affidavit of Service or waiver of service by the defendant or

counsel for the defendant. It shall be within the discretion of the assigned Judge to determine adequate waiver of service.

3. Protection from Abuse. Final orders.

- a. Court Administration shall schedule a hearing before the court within ten business days of the filing of a petition pursuant to (a), at which the plaintiff must prove the allegation of abuse by a preponderance of the evidence. The court shall, at the time the defendant is given notice of the hearing, advise the defendant of the right to be represented by counsel, of the right to present evidence, of the right to compel attendance of witnesses, of the method by which witnesses may be compelled, and other necessary notices regarding firearm possession and relinquishment by applicable state and federal law.

4. Hearing Officer: A PFA Hearing Officer may be appointed by and at the discretion of the President Judge and shall be a licensed attorney.

- a. The Hearing Officer may hear non-record matters as designated by the Court and shall submit recommended orders for review and signature by the Court.

5. Continuances of Hearing for a final order. Withdrawals of Petitions.

- a. After a hearing date has been assigned, requests for continuance must be made on a continuance application form available in the Court Administrator's Office. Requests for a continuance shall be referred to the appropriate Judge or hearing officer for review. After review of the continuance, the Court Administrator shall forward the result of the request of the continuance to the party who applied for the continuance or advise the requesting party that the request has been scheduled for hearing before the judge.
- b. After a hearing date has been assigned pursuant to (c), the plaintiff may file a Petition to Withdraw Petition with the Office of Judicial Support which shall be promptly forwarded to the Court Administrator for scheduling before the assigned judge.