

**DEFENDANT’S PETITION TO
MODIFY A FINAL PROTECTION
ORDER**

INSTRUCTIONS

***IT IS STRONGLY RECOMMENDED THAT
YOU CONSULT AN ATTORNEY***

DISCLAIMER

THE SELF-HELP CENTER STAFF AND COURT STAFF ARE NOT PERMITTED TO GIVE YOU LEGAL ADVICE. THE INFORMATION IN THIS PACKET IS NOT A SUBSTITUTE FOR PROFESSIONAL LEGAL ADVICE. THE COURT ASSUMES NO RESPONSIBILITY AND ACCEPTS NO LIABILITY FOR ACTIONS TAKEN BY USERS OF THESE DOCUMENTS, INCLUDING RELIANCE ON THEIR CONTENTS. IF YOU WANT TO OBTAIN THE SERVICES OF AN ATTORNEY BUT DO NOT KNOW WHOM TO CONTACT, YOU MAY CALL MIDPENN LEGAL SERVICES AT (717) 232-0581.

INSTRUCTIONS

GENERAL

The purpose of this packet is to assist a **DEFENDANT** who wants to request a change to a Final Protection Order that has been entered by the Court. The Final Protection Order can be a result from the following:

- Final Protection from Abuse Order
- Final Protection from Sexual Violence Order
- Final Protection from Intimidation Order

A party may seek to modify any of the provisions contained in the final order, including the date that the order will end.

This packet is only for Defendants to Modify a Final Protection Order. If you are the Plaintiff, do not file this form but contact the Victim Witness Office at (717) 780-7077.

If there is a health and safety issue involving the child(ren), a parent or anyone who has a claim for custody may file an Emergency Petition for Special Relief along with the Custody Complaint or a Petition for Modification of an Existing Custody Order or a Petition for Contempt of an Existing Custody Order.

FILING INSTRUCTIONS AND PROCEDURAL INFORMATION

Please read these instructions carefully. If you do not complete the forms correctly, and file and serve them correctly, the Court may not be able to hold a hearing which means your request to modify your order will be delayed.

1. Fill out the following forms contained in this packet.
 - **Scheduling Order** – Complete the Caption (Plaintiff/Defendant located in the top left-hand corner) as it appears on your Final Protection Order. Do not complete anything else on the scheduling order.
 - **Defendant’s Petition to Modify a Final Protection Order** -- Complete the Caption (Plaintiff/Defendant located in the top left-hand corner) as it appears on your Final Protection Order. Check the appropriate box as to the type of Protection Order you are seeking to modify. (Paragraph 1) You are the petitioner since you are filing the petition. If your address is confidential, check the appropriate box and complete the Confidential Information Form Abuse Victim

Addendum. (Paragraph 2) Enter the date of the Final Protection Order and name of the Judge. (Paragraph 3) Enter the expiration date of the Final Protection Order. (Paragraph 4) Write how you would like the order to be modified and (Paragraph 5) the reasons why you would like the order modified.

- **Affidavit of Service** -- Complete the Caption (Plaintiff/Defendant located in the top left-hand corner) as it appears on your Final Protection Order. You must send a copy of the Defendant's Petition to Modify Final Protection Order addressed as follows:

Victim Witness
25 South Front Street
7th Floor
Harrisburg, PA 17101

- **Order** -- Complete the Caption (Plaintiff/Defendant located in the top left-hand corner) as it appears on your Final Protection Order. Do not complete anything else on the scheduling order.

If you print out the packet from the Self-Help Center page of the Dauphin County website, the Confidential Information Form and the Confidential Information Form Abuse Victim Addendum are not included. You must print out these forms in accordance with the instructions appearing on the webpage.

2. You must make at least three (3) copies of the completed forms and take them to the Prothonotary's Office which is located on the first floor of the courthouse. The Prothonotary's Office will time stamp these forms and will keep the original and one copy. The clerk will give two copies back to you. One copy is for you to keep, and the other copy is for you to serve as follows:

Victim Witness
25 South Front Street
7th Floor
Harrisburg, PA 17101

The original will be taken by the Prothonotary clerk to the Court Administrator's Office. The Court Administrator's Office will take the petition to a judge. You will receive the scheduling order in the mail from the judge's office.

This packet is only for Defendants to Modify a Final Protection Order. If you are the Plaintiff, do not file this form but contact the Victim Witness Office at (717) 780-7077.

DEFENDANT'S PETITION TO MODIFY A FINAL PROTECTION ORDER

FORMS

***IT IS STRONGLY RECOMMENDED THAT YOU
CONSULT AN ATTORNEY***

DISCLAIMER

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Plaintiff(s)

v.

Defendant(s)

: IN THE COURT OF COMMON PLEAS OF
: DAUPHIN COUNTY, PENNSYLVANIA
:
: NO. _____ CV _____
:
: CIVIL ACTION
:
:

SCHEDULING ORDER

AND NOW THIS _____ day of _____, 20__ upon consideration of the attached Defendant's Petition to Modify Final Protection Order, it is hereby ordered as follows:

A hearing on the Petition to Modify Final Protection Order is scheduled for

_____ m. on _____, 20__ in Courtroom

#_____,

-
-

Dauphin County Courthouse, 101 Market Street, Harrisburg, PA
Juvenile Justice Center, 7th Floor, 25 South Front Street, Harrisburg, PA

BY THE COURT:

Judge

Distribution:

Plaintiff(s)

v.

Defendant(s)

: IN THE COURT OF COMMON PLEAS
: DAUPHIN COUNTY, PENNSYLVANIA
:
: NO. _____ CV _____
:
:
:

DEFENDANT’S PETITION TO MODIFY A FINAL PROTECTION ORDER

IF A FINAL PROTECTION ORDER HAS BEEN ISSUED BY THE COURT AND YOU ARE THE PLAINTIFF, DO NOT USE THESE FORMS BUT CONTACT THE VICTIM WITNESS OFFICE AT (717) 780-7077.

If you are an abuse victim and do not want to reveal your contact information, you are not required to list your address, telephone number and email address but you must complete a Confidential Information Form (CIF) Abuse Victim Addendum and file this form with the Prothonotary at the same time you file the Petition to Modify a Final Protection Order. When you serve the other party(ies) do not include the CIF Abuse Victim Addendum. The information contained on the CIF Abuse Victim Addendum will only be available to the Court and Court Staff.

AND NOW COMES _____ who
(Your Name)

files this Petition to Modify the following:

- Final Protection from Abuse Order
- Final Protection from Sexual Violence Order
- Final Protection from Intimidation Order

1. Petitioner is (name) _____ who is the Defendant in the Final Protection Order and resides at (see next page):

Petitioner's address is confidential because I am an abuse victim and do not want to reveal my contact information. I understand that I must complete a Confidential Information Form (CIF) Abuse Victim Addendum and file this form with the Prothonotary at the same time I file the Petition to Modify a Final Protection Order.

or

Petitioner's address is (street, city, state, zip code)

_____.

2. A Final Protection Order was entered on _____ by the Honorable (name of Judge) _____.

3. The Final Protection Order expires on (date) _____.

4. Petitioner would like to have the Final Protection Order modified as follows (explain what you want changed in your final order):

_____.

5. Petitioner avers that the Final Protection Order should be modified as requested for the following reasons:

_____.

7. **Wherefore, Petitioner respectfully requests that the Court grant the Petition to Modify the Final Protection Order.**

READ THE FULL STATEMENT BELOW BEFORE YOU SIGN IT.

I verify that the statements made in Defendant's Petition to Modify Final Protection Order are **true and correct**. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities and **can be punishable by fine or imprisonment.**

Date

Signature of Petitioner (Your Signature)

CERTIFICATION

I, _____, certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.

Date

Signature of Petitioner



BEFORE YOU FILE THIS PETITION TO MODIFY FINAL PROTECTION ORDER WITH THE PROTHONOTARY, MAKE SURE YOU HAVE COMPLETED THE FOLLOWING FORMS:

- Confidential Information Form Abuse Victim Addendum if you are an abuse victim and do not want to disclose your contact information to anyone but the Court.

Plaintiff

: IN THE COURT OF COMMON PLEAS
: DAUPHIN COUNTY, PENNSYLVANIA

v.

:
:
: NO. _____ CV _____
:
:
:

Defendant

AFFIDAVIT OF SERVICE

I, _____, verify that on
(Your Name)

_____, 20____, I served the opposing party by mailing a true
and correct copy of Defendant’s Petition to Modify Final Protection Order addressed as follows:

Victim Witness
25 South Front Street
7th Floor
Harrisburg, PA 17101

I verify that the statements made in this affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

Date: _____

Signature

CERTIFICATION

I, _____, certify that this Affidavit of Service complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.

Date

SIGNATURE

Print Name

Plaintiff(s)

v.

Defendant(s)

: IN THE COURT OF COMMON PLEAS OF
: DAUPHIN COUNTY, PENNSYLVANIA
:
: NO. _____ CV _____
:
: CIVIL ACTION
:
:

ORDER

AND NOW THIS _____ day of _____, 20__ upon
consideration of the attached Petition to Modify Final Protection Order, it is hereby ordered as
follows:

The Final Protection Order is modified as follows:

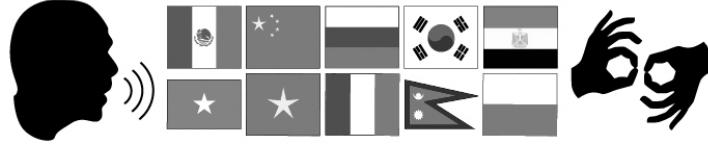
The Petition to Modify Final Protection Order is DENIED.

BY THE COURT:

Judge

Distribution:

Notice of Language Rights



Language Access Coordinator
Dauphin County Court of Common Pleas
101 Market Street, 3rd Floor Court Administrator's Office
Harrisburg, PA 17101
interpreterrequest@dauphincounty.gov
(717) 780-6640

English: You have the right to an interpreter at no cost to you. To request an interpreter, please inform court staff using the contact information provided at the top of this notice.

Spanish/Español: Usted tiene derecho a un intérprete libre de costo. Para solicitar un intérprete favor de informárselo al personal judicial utilizando la información provista en la parte superior de este aviso.

Mandarin/Cantonese Simplified Chinese/普通话/粵語簡體中文: 您有权获得免费的口译员服务。若需要口译员，请使用本通知上方提供的联系信息通知法院工作人员。

Mandarin/Cantonese Traditional Chinese/普通話/廣東話繁體中文: 您有權要求免費傳譯服務。如欲要求傳譯服務，請參閱本通知頂部的聯絡資料，通知法庭職員。

Arabic/العربية: يحق لك الحصول على مترجم دون دفع أي تكلفة من جانبك. لطلب مترجم، يُرجى إعلام موظفي المحكمة باستخدام معلومات الاتصال المقدمة في الجزء العلوي من هذا الإشعار.

Russian/Русский: У вас есть право на бесплатные услуги переводчика. Заявка на переводчика подается в суд по адресу, телефону или эл. почте, указанным выше в заголовке этого уведомления.

Vietnamese/Tiếng Việt: Quý vị có quyền được một thông dịch viên giúp mà không tốn chi phí nào cả, xin hãy báo cho nhân viên tòa án dùng thông tin liên lạc có ở trên đầu thông báo này.

Nepali/नेपाली: तपाईंको निःशुल्क रूपमा भाषा अनुवादक राख्न पाउने अधिकार छ। अनुवादकको लागि अनुरोध गर्न, यस सूचनाको माथि दिइएको सम्पर्क जानकारी भरेर अदालतका कर्मचारीहरूलाई जानकारी दिनुहोस्।

Korean/한국어: 귀하는 비용에 대한 부담 없이 통역 서비스를 받을 권리가 있습니다. 통역 서비스를 요청하려면 본 통지서의 상단에 기재된 연락처를 통해 법원 직원에게 알려십시오.

Polish/Polski: Ma Pan/Pani prawo do nieodpłatnego skorzystania z usług tłumacza ustnego. Aby zwrócić się o wsparcie ze strony tłumacza ustnego, proszę skontaktować się z pracownikami sądu, korzystając z danych znajdujących się w górnej części niniejszego dokumentu.

Pakistan/پنجابی/Punjabi: تہاڈے کول بغیر ادائیگی کیتیاں اک مترجم حاصل کرن دا حق اے۔ مترجم دی درخواست کرن لئی، میربانی کر کے ایس نوٹس دے اوتے فراہم کیتیاں رابطے دیاں معلومات نوں ورتدیاں عدالت دے عملے نوں اطلاع دوو۔

Punjabi/ਪੰਜਾਬੀ /India: ਤੁਹਾਨੂੰ ਇਕ ਦੁਭਾਸ਼ੀਆ ਹਾਸਲ ਕਰਨ ਦਾ ਹੱਕ ਹੈ, ਜਿਸ ਦੀ ਤੁਹਾਨੂੰ ਕੋਈ ਲਾਗਤ ਨਹੀਂ ਲੱਗੇਗੀ। ਦੁਭਾਸ਼ੀਏ ਲਈ ਬੇਨਤੀ ਕਰਨ ਵਾਸਤੇ, ਕਿਰਪਾ ਕਰ ਕੇ ਅਦਾਲਤ ਦੇ ਅਮਲੇ ਨੂੰ ਜਾਣੂ ਕਰਵਾਓ ਤੇ ਇਸ ਲਈ ਇਸ ਨੋਟਿਸ ਦੇ ਸਿਖਰ ਉਤੇ ਦਿੱਤੀ ਸੰਪਰਕ ਜਾਣਕਾਰੀ ਦਾ ਇਸਤੇਮਾਲ ਕਰੋ।

Portuguese/Português: Você tem direito a um intérprete gratuitamente. Para solicitar um intérprete, informe à nossa equipe usando os dados de contato mostrados na parte superior deste aviso.

Somali/Somaali: Waxaad xaq u leedahay in lagu turjumo lacag la'aan ah. Si aad u codsato turjumaanka, fadlan u sheeg maxkamadda shaqaalaha adiga oo isticmaala macluumaadka ciwaanka kor lagu siiyay ee ogeysiiskaan.

Haitian Creole/Kreyòl Ayisyen: Ou gen dwa resevwa sèvis yon entèprèt gratis. Pou mande pou yon entèprèt, tanpri fè manm pèsònèl tribinal la konnen lè ou sèvi avèk enfòmasyon an yo te bay ou nan tèt avi sa a.

French/Français : Vous avez le droit de bénéficier gratuitement de l'assistance d'un interprète. Pour en faire la demande, veuillez en informer le personnel du tribunal à l'aide des coordonnées indiquées en haut de page.