

What's the difference between a PFA order entered after a hearing\* and a PFA order entered by consent?

## *Hearing ≠ Consent*



Petitioner must present evidence that Respondent committed abuse against the Petitioner or the Petitioner's minor child.
If abuse is not proven, the petition is dismissed and there is no PFA order.
The PFA order can be used in future hearings as evidence that abuse occurred.
The Commissioner decides the conditions to be included in the PFA order and for how long it will be in effect.

No evidence needs to be presented. The Petitioner and the Respondent have agreed to the issuance of a PFA order.
A PFA order issues and the Court does not address whether or not abuse occurred.
The PFA order cannot be used as evidence of abuse in any future hearings.
The Petitioner and the Respondent agree to the conditions in the PFA order and how long it will be in effect.

But, a PFA order after a hearing and a PFA order by consent are **EXACTLY the same** in these ways:

## *Hearing = Consent*



Respondent can be arrested and incarcerated for violating the order,
Respondent cannot possess firearms or ammunition, and
Petitioner and the Respondent cannot agree to revoke, modify or ignore the order but must file a motion and attend a hearing.

\*A **Default** PFA order is the same as an order after a hearing except the Respondent is not present.