How long does a PFA Order last?

Temporary Orders

The initial duration of a temporary ex parte order is up to 15 days.

The order may be extended to up to 30 days if the PFA trial is rescheduled:

- To accomplish service of process on the Respondent, or
- At the request of a party for good cause.

Permanent Orders

The "protective" provisions of a PFA order by consent, default or after a full hearing can last up to 2 years and sometimes longer. This includes:

- No further abuse;
- Stay 100 yards away from petitioner, residence and workplace;
- No contact (communication) of any kind; and
- No firearms, ammunition, or deadly weapons.

The protective provisions may be ordered for more than 2 years upon consent of the parties, or upon a finding of aggravating circumstances including:

Physical Injury
Use of a firearm
Past DV convictions
Repeated violations of prior PFAs

Any circumstance where there is an immediate and ongoing danger to the petitioner or any member of his/her household.

"Ancillary" provisions in a PFA order are limited to 1 year. These include:

- Custody of and Visitation with children;
- Payment of Support; and
- Temporary Possession of homes and personal property.

Extension and early termination

A PFA order of less than 2 years <u>may</u> be extended by the court after a hearing but can only exceed 2 years upon a finding of aggravating circumstances.

A PFA order <u>may</u> be modified or rescinded by the court upon the request of either party but only after a hearing. The reconciliation of the parties has no effect on the duration, validity or enforceability of a PFA order.

THIS ABOVE INFORMATION IS A GENERAL SUMMARY OF LAWS, RULES AND PROCEDURES APPLICABLE TO PROCEEDINGS IN THE FAMILY COURT. ALL CASES ARE UNIQUE AND THE SPECIFIC APPLICATION IN YOUR CASE MAY BE DIFFERENT. This project was supported by Grant No. 2014-FJ-AX-K004 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women.