

## **2006 Protection From Abuse Act Amendments**

### **What Every Pennsylvania Prothonotary or Court Administrator Should Know**

1. The plaintiff may not be charged any fees or costs related to filing, issuing or registering a petition or order, including fees or costs associated with service, modifying, withdrawing or dismissing a complaint. A plaintiff may not be charged any fees or costs associated with a motion for reconsideration or appeal of a court order. 23 Pa. C.S.A. §6106(b).
2. When a PFA order is granted, fees and costs must be assessed against a defendant, unless the court finds the defendant is unable to pay. 23 Pa. C.S.A. §6106(c).
3. After pleading and proof that the defendant is financially unable to pay fees, costs, fines or relief pursuant to 23 Pa. C.S.A. §6108(a)(8), the court may direct the defendant to make installment payments. 23 Pa. C.S.A. §6120(a).
4. The county treasurer may allow use of credit/bankcards for payment of moneys owed. 23 Pa. C.S.A. §6120(b).
5. The PFA Act Amendments require that the plaintiff provide information to the court about whether the defendant is a licensed firearms dealer or is employed in a profession that requires defendant to handle firearms as a condition of employment. 23 Pa. C.S.A. §6106(a.2).
6. Lists of firearms, other weapons and ammunition that are contained in petitions and orders must be kept in the court's permanent files, and may not be made available to the public except: (1) upon court order, (2) as necessary by law enforcement and court personnel, or (3) after redaction of list of firearms, other weapons or ammunition. 23 Pa. C.S.A. §6107(a)(7)(v).

NOTE: This prohibition does not affect the entry of petitions and orders into the Protection From Abuse Database(PFAD) system as it is a closed system made available to court personnel and law enforcement. Any information that PFAD makes available to other individuals will not include lists of firearms, other weapons or ammunition.

7. Any person who releases the list of firearms, other weapons and ammunition with the intent and purpose of violating the requirements found in 23 Pa. C.S.A. §6107(a)(7)(v) may be charged with a third-degree misdemeanor. 23 Pa. C.S.A. §6108.5.
8. Out of state protection orders may be filed within the county by the plaintiff without fee or cost, including the cost of obtaining certified copies. 23 Pa. C.S.A. §6104(a).

The cost for filing a foreign protection order may be assessed against the defendant. If the county intends to charge the defendant for the filing of a foreign protection order, the plaintiff should be told at the time the plaintiff registers the order. Notifying the defendant of the charge may alert the defendant as to the plaintiff's whereabouts and adversely affect the plaintiff's safety arrangements. A foreign protection order is not required to be registered in order to be enforced.