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Protection Orders Cover More Than You Think

The other day, I read a sad story in our Chester County newspaper.

A woman and her 30-year-old daughter were living together in the mother's house in Downingtown. They started arguing. The daughter picked up a knife and stabbed her mother ten times. The mother is in critical condition at a local hospital. The police describe it as a domestic disturbance.

When most of us think of "domestic disturbance," we think of a husband and a wife or a boyfriend and a girlfriend, not a parent and a child or some other combination of two people. Similarly, when most people think Protection from Abuse Order (PFA), they think husband and wife or boyfriend and girlfriend. However, parties covered by the Pennsylvania Protection from Abuse Act go way beyond husband/wife or boyfriend/girlfriend relationships.

The Act specifically allows the following to file for a PFA: family or household members, sexual or intimate partners, and persons who share biological parenthood. I have personally been involved in PFA cases involving men seeking protection orders against their wives, elderly parents seeking protection from their adult children, same-sex partners seeking protection from their partner, parents of an adopted child seeking protection from the child's biological mother, and the mother of a physically abused child seeking protection for the child from the mother's abusive boyfriend.

My point is that these stressful times with people stuck at home together, coupled with increasing numbers of people out of work, are a perfect formula for domestic violence, and the definition of who is the victim of domestic violence is much broader than you may think.

Would a PFA Order have helped the stabbing victim mother in Downingtown? I don't know, but in my experience, something as violent as a stabbing is not the first incident between these two. The key is to be aware of your rights under Pennsylvania's Protection from Abuse Act and be ready to obtain a PFA Order at the first sign of trouble before you get hurt.

The family law lawyers at Weber Gallagher know the specifics of the Protection from Abuse Act and are here to help.