

HOW TO FILE FOR MODIFICATION OF A FINAL PROTECTION ORDER

JUDGE HENRY S. KENDERDINE, JR.



COURT SELF HELP CENTER

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Neither the staff in the Center nor the staff in any Court office will be able to give you legal advice or help you fill out/complete the forms. The information in the packets 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 would like information on how to hire an attorney, you may call the Lancaster Bar Association's Lawyer Referral service at (717) 393-0737.

05/27/2022

Modification of Final Protection Order

I. INTRODUCTION

The purpose of this packet is to assist a party who wants to request a change to a Final Protection Order that has been entered by the Court. The final order may be a Final Protection from Abuse Order, a Final Protection from Sexual Violence Order, or a Final Protection from Intimidation Order. The law permits either party to ask the court to modify or change the order if the party files a Petition to Modify, gives Notice to the other party, and participates in the Court hearing. A party may seek to modify any of the provisions in the final order, including the date on which the order will end.

PLEASE NOTE-DO NOT SUBMIT AN INCOMPLETE PETITION. IF YOUR PETITION DOES NOT CONTAIN ALL OF THE REQUIRED INFORMATION, IT WILL BE REJECTED BY THE COURT. IF THE PETITION IS REJECTED, YOU WILL BE REQUIRED TO RE-FILE IT, AND YOUR HEARING WILL NOT BE HELD.

THE STAFF IN COURT AND COURT-RELATED OFFICES CANNOT HELP YOU FILL OUT THE FORMS, AND THEY CANNOT GIVE YOU LEGAL ADVICE. IF YOU WOULD LIKE INFORMATION ON HOW TO HIRE AN ATTORNEY, YOU MAY CALL THE LANCASTER BAR ASSOCIATION'S LAWYER REFERRAL SERVICE AT (717) 393-0737.

II. DEFINITIONS

- PLAINTIFF: Party who filed the original protection petition
- DEFENDANT: Party against whom the original protection petition was filed
- PETITIONER: Party who is filing this modification petition
- RESPONDENT: Party against whom the modification petition is being filed

III. STATUTES AND RULES

23 Pa. C.S.A. § 6108 Relief (Protection From Abuse Act)

23 Pa. C.S.A. § 6117 Procedure and other remedies (Protection From Abuse Act)

42 Pa. C.S.A. § 62A07 Relief (Protection of Victims of Sexual Violence or Intimidation Act)

42 Pa. C.S.A. § 62A17 Procedure and other remedies (Protection of Victims of Sexual Violence or Intimidation Act)

Pennsylvania Rule of Civil Procedure 1901.8. Modification or Discontinuance

IV. FILING INSTRUCTIONS AND PROCEDURAL INFORMATION

Please read the following instructions carefully. If you do not fill out the forms and file and serve them correctly, the Court may not be able to hold your hearing, which means the possible modification of your order will be delayed.

1. Fill out the following forms in this packet—Petition for Modification, Verification and Certificate of Compliance (Form 1), Scheduling Order (Form 2), Court Administration Cover Sheet (Form 3), Proposed Order (Form 5).

- The heading (or caption) on these forms will be **identical** to the heading on your final protection order. The Plaintiff is the party who originally filed the petition for a protection order, and the Defendant is the party against whom the original petition was filed. If the original action was in addition to (i.a.t.) or on behalf of (o/b/o) minor parties, that information should also be written in the caption for this petition. The CI /docket number must also be the same docket number as the final order, and you also need to write the name of the type of protection order on the blank line above the docket number.
 - In the first paragraph of the Modification Petition (Form 1), check the box that indicates what type of protection you are asking the Court to modify.
 - The Petitioner is the party filing the Modification Petition; the Respondent is the other party.
 - **IF YOUR ADDRESS IS CONFIDENTIAL, DO NOT PUT YOUR ADDRESS ON ANY OF THE FORMS. IF YOU NEED TO UPDATE YOUR ADDRESS WITH THE PROTHONOTARY’S OFFICE, YOU WILL ALSO NEED TO FILL OUT FORM 6, THE CONFIDENTIAL INFORMATION FORM.**
 - Make sure you fill out all the parts of the Petition; do not leave any of the information blank; sign and date the Petition, the Verification Form and the Certificate of Compliance.
 - On the other forms, you only need to fill in the header, as described above.
2. Make 2 copies of each form and put the forms in the following order:
- a. Court Administration Cover Sheet (Form 3)

- b. Scheduling Order (Form 2)
 - c. Petition, including Verification and Certificate of Compliance Forms (Form 1)
 - d. Proposed Order (Form 5)
3. Attach a copy of the Final Protection Order that is currently in effect to the back of the petition.
4. File the original and the copies of the forms with a stamped, self-addressed envelope (an envelope made out to you) at the Lancaster County Prothonotary's Office, Lancaster County Courthouse, 2nd floor, 50 N. Duke St., Lancaster, PA 17602.
5. If you were the Plaintiff in the original protection action, there is no cost to file a Petition to Modify. If you were the Defendant in the original protection action, all original costs and fees must be paid in full if you are asking the Court to modify the petition, and you need to pay a fee to file the petition. The current filing fee (as of 04/01/2022) is \$23.50.
6. The Prothonotary's Office will mail you the date-stamped forms after a date for a hearing has been scheduled. The hearing date and time will be on the Scheduling Order.
7. You must then serve the other party the copies of the following documents: Notice of Hearing and Scheduling Order, Petition for Modification and Verification, and the Proposed Order. You may serve the other party by sending these documents via first class mail to the other party's last known address. Sign the Affidavit of Service (Form 4) and bring it with you to your hearing.
8. Attend the hearing on the Petition to Modify even if you have not been able to serve the other party. **IF YOU DO NOT APPEAR FOR THE HEARING, YOUR PETITION TO MODIFY WILL BE DISMISSED.**

V. FORMS

#	FORM
1.	Petition for Modification, Verification and Certificate of Compliance
2.	Scheduling Order
3.	Court Administration Cover Sheet
4.	Affidavit of Service
5.	Proposed Order
6.	Confidential Information Sheet

IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
CIVIL ACTION – LAW

Plaintiff _____
vs. No: CI-
Defendant _____

PETITION TO MODIFY FINAL PROTECTION ORDER

AND NOW, comes the Petitioner to respectfully request that this Honorable Court modify the following:

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

1. Petitioner is (name) _____ Plaintiff or Defendant (circle one) in the Final Protection Order and resides at

- Petitioner’s address is confidential or
- Petitioner’s address is as follows: (street, city, state, zip) _____

2. Respondent is (name) _____ Plaintiff or Defendant (circle one) in the Final Protection Order and resides at

- Respondent’s address is confidential or
- Respondent’s address is as follows: (street, city, state, zip) _____

2. A Final Protection Order was entered on _____, by the

Honorable _____ (name of Judge) (attached hereto as Exhibit "A").

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 the Final Protection Order should be modified as requested for the following reasons:

6. Wherefore, Petitioner respectfully requests that the Honorable Court grant the petition to modify.

Date: _____

Petitioner

VERIFICATION

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

Date: _____

Petitioner

CERTIFICATION OF COMPLIANCE WITH PUBLIC ACCESS POLICY

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: _____

Petitioner

IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
CIVIL ACTION – LAW

Plaintiff _____
vs. _____
Defendant _____
No: CI-

SCHEDULING ORDER

AND NOW, this _____ day of _____, 20____, following the filing of a
Petition to Modify a Final Protection Order dated _____, it is hereby ordered and decreed
that a hearing is scheduled for the _____ day of _____, 20____, at the Lancaster
County Courthouse, 50 North Duke Street, Lancaster, PA 17608 in Courtroom TBD at _____
a.m./p.m.

BY THE COURT:

J.

ATTEST: _____

cc: Plaintiff
Defendant

IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
COURT ADMINISTRATION OFFICE SCHEDULING COVER SHEET (CAOSCS)
IN ORDER TO BE PROCESSED ALL REQUESTED INFORMATION MUST BE COMPLETED
PLEASE TYPE OR PRINT LEGIBLY
ORIGINAL CAPTION

PLAINTIFF CHANGE OF ADDRESS

DOCKET NO. _____

DEFENDANT CHANGE OF ADDRESS

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEYS/PRO SE

PLAINTIFF CHANGE OF ADDRESS

DEFENDANT CHANGE OF ADDRESS

Check one

CIVIL

FAMILY

DOMESTIC RELATIONS (SEE INSTRUCTIONS ON BACK OF FORM)

Name of person submitting CAOSCS: _____

SECTION A: EVENT INFORMATION

Hearing type _____ Conference type _____ Length of time _____

SECTION B: SCHEDULING INFORMATION (Select one option below)

REQUEST TO SCHEDULE AN EVENT: Family Business Court pick-up date if applicable: _____

Date: _____ Time: _____ Place: _____ Judge/CCO/DM: _____

REQUEST FOR CHANGE OF A SCHEDULED EVENT:

_____ Continuance _____ Cancellation _____ Opposing Counsel/Parties _____ **IS** _____ **IS NOT** in agreement

Presently scheduled for: Date: _____ Time: _____ Place: _____ Judge/CCO/DM: _____

Continued to: Date: _____ Time: _____ Place: _____ Judge/CCO/DM: _____

Reason: _____

Special instructions for rescheduling event: _____

REQUEST TO SCHEDULE A CONTINUATION AFTER START OF HEARING:

Date Started: _____ Time: _____ Place: _____ Judge/CCO/DM: _____

Continuation scheduled for: Date: _____ Time: _____ Place: _____ Judge/CCO/DM: _____

SECTION C: COURT USE ONLY

Approved by Judge _____ **Date:** _____

For Court Administration Use Only

Report Entered/Deleted on CCSC CDAEVNT Scheduled in BANNER Letters Sent

(If a continuation, this must be indicated on CCSC)

Initials/Date _____

INSTRUCTIONS FOR COMPLETING CAOSCS

Section A: Event Information Select whether it is a hearing or a conference and specify the type. Type of Hearing example: Custody, Special Relief, License Appeal, Minor's Compromise, Adoption, Estate, Support, etc. Type of Conference example: Zoning Appeal, Custody, Support, etc. Enter estimated length of time needed.

Section B: Scheduling Information Select whether it is a Request to Schedule, Request for Change of a Scheduled Event, or a Request to Schedule a Continuation of an event that is in progress and complete that section accordingly.

Note: For Custody Conferences: Rescheduling fee must be attached along with a signed, ***Uncontested Motion for Continuance and Waiver*** form.

Any other Event changes: Continuances and Cancellations must have an Order (Original and 2 Copies)

Fees: Must be in the form of a Cashier's Check, Money Order, cash or Law Firm Check.

Section C: The date selected must be approved by a Judge and the CAOSCS sheet then given to Court Administration.

INSTRUCTIONS FOR COMPLETING CAOSCS - DOMESTIC RELATIONS SECTION, 150 NORTH QUEEN STREET, LANCASTER

First and second reschedule requests:

Agreement - Judges' approval is not required. File completed CAOSCS form at Domestic Relations Office.

Non-agreement - File completed CAOSCS form and motion in Family Business Court.

Third or subsequent reschedule requests: Must file a motion in Family Business Court.

GLOSSARY OF TERMS

PLAINTIFF - The party that institutes a suit in a court.

DEFENDANT - A person against whom an action is brought.

DOCKET # - The number assigned to the document.

HEARING - A session before a Judge in a courtroom or Divorce Master in a hearing room.

CONFERENCE - A meeting before a court appointed officer.

FAMILY BUSINESS COURT - Family petitions are presented to the Judge, assigned by defendant's last name.

COMPLAINT - The presentation by the plaintiff in a civil action, setting forth the claim on which relief is sought.

CAPTION - The heading which lists the plaintiff & defendant in the action.

PRO SE - for self - you represent yourself

JUDGE - The assigned judge for the event.

CCO - Custody Conference Officer - A court appointed officer assigned the custody conference.

DM - Divorce Master - A court appointed officer assigned the divorce hearing.

IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
CIVIL ACTION – LAW

Plaintiff _____
vs. _____ No: CI-
Defendant _____

AFFIDAVIT OF SERVICE

I, _____, the undersigned, hereby state that I served a copy of the Petition to Modify Final Protection Order and Scheduling Order in the above-captioned action upon the Respondent by mailing the papers to _____ at the following address:

on the ___ day of _____, 20____.

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.A §4904 relating to sworn falsification to authorities.

Date: _____

Signature

YOU MUST BRING THIS FORM WITH YOU TO YOUR HEARING

IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
CIVIL ACTION – LAW

Plaintiff _____
vs. No: CI-
Defendant _____

ORDER

AND NOW, this _____ day of _____, 20____, upon the stated desire of
Petitioner to modify this action, it is ORDERED that the Final Protection Order is modified AS FOLLOWS:

_____.

BY THE COURT:

J.

ATTEST: _____

Copies to: Local PD
Pennsylvania State Police
Plaintiff
Attorney for Plaintiff –
Defendant
Attorney for Defendant –

**CONFIDENTIAL
INFORMATION
FORM**



Case Records Public Access Policy of the Unified Judicial System of Pennsylvania
204 Pa. Code § 213.81
www.pacourts.us/public-records

(Party name as displayed in case caption)

Docket/Case No.

Vs.

(Party name as displayed in case caption)

Court

This form is associated with the pleading titled _____, dated _____.

Pursuant to the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*, the Confidential Information Form shall accompany a filing where confidential information is **required by law, ordered by the court, or otherwise necessary to effect the disposition of a matter**. This form, and any additional pages, shall remain confidential, except that it shall be available to the parties, counsel of record, the court, and the custodian. This form, and any additional pages, must be served on all unrepresented parties and counsel of record.

This Information Pertains to:	Confidential Information:	References in Filing:
<p>_____ (full name of adult)</p> <p style="text-align: center;">OR</p> <p>This information pertains to a minor with the initials of ____ and the full name of</p> <p>_____ (full name of minor)</p> <p>and date of birth: _____</p>	<p>Social Security Number (SSN): _____</p> <p>Financial Account Number (FAN): _____</p> <p>Driver License Number (DLN): _____</p> <p>State of Issuance: _____</p> <p>State Identification Number (SID): _____</p>	<p>Alternative Reference: SSN 1</p> <p>Alternative Reference: FAN 1</p> <p>Alternative Reference: DLN 1</p> <p>Alternative Reference: SID 1</p>
<p>_____ (full name of adult)</p> <p style="text-align: center;">OR</p> <p>This information pertains to a minor with the initials of ____ and the full name of</p> <p>_____ (full name of minor)</p> <p>and date of birth: _____</p>	<p>Social Security Number (SSN): _____</p> <p>Financial Account Number (FAN): _____</p> <p>Driver License Number (DLN): _____</p> <p>State of Issuance: _____</p> <p>State Identification Number (SID): _____</p>	<p>Alternative Reference: SSN 2</p> <p>Alternative Reference: FAN 2</p> <p>Alternative Reference: DLN 2</p> <p>Alternative Reference: SID 2</p>

**CONFIDENTIAL
INFORMATION
FORM**



Additional page(s) attached. _____ total pages are attached to this filing.

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.

Signature of Attorney or Unrepresented Party

Date

Name: _____

Attorney Number: (if applicable) _____

Address: _____

Telephone: _____

Email: _____

NOTE: Parties and attorney of record in a case will have access to this Confidential Information Form. Confidentiality of this information must be maintained.

**CONFIDENTIAL
INFORMATION
FORM**



Additional page (if necessary)

This Information Pertains to:	Confidential Information:	References in Filing:
<p>_____</p> <p>(full name of adult)</p> <p>OR</p> <p>This information pertains to a minor with the initials of _____ and the full name of</p> <p>_____</p> <p>(full name of minor)</p> <p>and date of birth: _____</p>	<p>Social Security Number (SSN): _____</p> <p>Financial Account Number (FAN): _____</p> <p>Driver License Number (DLN): _____</p> <p>State of Issuance: _____</p> <p>State Identification Number (SID): _____</p>	<p>Alternative Reference: SSN ____</p> <p>Alternative Reference: FAN ____</p> <p>Alternative Reference: DLN ____</p> <p>Alternative Reference: SID ____</p>
<p>_____</p> <p>(full name of adult)</p> <p>OR</p> <p>This information pertains to a minor with the initials of _____ and the full name of</p> <p>_____</p> <p>(full name of minor)</p> <p>and date of birth: _____</p>	<p>Social Security Number (SSN): _____</p> <p>Financial Account Number (FAN): _____</p> <p>Driver License Number (DLN): _____</p> <p>State of Issuance: _____</p> <p>State Identification Number (SID): _____</p>	<p>Alternative Reference: SSN ____</p> <p>Alternative Reference: FAN ____</p> <p>Alternative Reference: DLN ____</p> <p>Alternative Reference: SID ____</p>
<p>_____</p> <p>(full name of adult)</p> <p>OR</p> <p>This information pertains to a minor with the initials of _____ and the full name of</p> <p>_____</p> <p>(full name of minor)</p> <p>and date of birth: _____</p>	<p>Social Security Number (SSN): _____</p> <p>Financial Account Number (FAN): _____</p> <p>Driver License Number (DLN): _____</p> <p>State of Issuance: _____</p> <p>State Identification Number (SID): _____</p>	<p>Alternative Reference: SSN ____</p> <p>Alternative Reference: FAN ____</p> <p>Alternative Reference: DLN ____</p> <p>Alternative Reference: SID ____</p>

**CONFIDENTIAL
INFORMATION
FORM**



Instructions for Completing the Confidential Information Form

The following information is confidential and shall not be included in any document filed with a court or custodian, except on a Confidential Information Form filed contemporaneously with the document:

1. Social Security Numbers
2. Financial Account Numbers, except an active financial account number may be identified by the last four digits when the financial account is the subject of the case and cannot otherwise be identified. "Financial Account Numbers" include financial institution account numbers, debit and credit card numbers, and methods of authentication used to secure accounts such as personal identification numbers, user names and passwords.
3. Driver License Numbers
4. State Identification (SID) Numbers
5. Minors' names and dates of birth except when a minor is charged as a defendant in a criminal matter (see 42 Pa.C.S. § 6355). "Minor" is a person under the age of eighteen.
6. Abuse victim's address and other contact information, including employer's name, address and work schedule, in family court actions as defined by Pa.R.C.P. No. 1931(a), except for victim's name. "Abuse Victim" is a person for whom a protection order has been granted by a court pursuant to Pa.R.C.P. No. 1901 et seq. and 23 Pa.C.S. § 6101 et seq. or Pa.R.C.P. No. 1951 et seq. and 42 Pa.C.S. § 62A01 et seq. **If necessary, this information must be provided on the separate Abuse Victim Addendum. Please note there are separate instructions for the completion of the Addendum located on the form.**

Please note this form does not need to be filed in types of cases that are sealed or exempted from public access pursuant to applicable authority (e.g. juvenile, adoption, etc.).

- **The best way to protect confidential information is not to provide it to the court. Therefore, only provide confidential information to the court when it is required by law, ordered by the court or is otherwise necessary to effect the disposition of a matter.**
- Do not include confidential information in any other document filed with the court under this docket.
- If you need to refer to a piece of confidential information in a document, use the alternate references. If you need to attach additional pages, sequentially number each alternate reference – i.e. SSN 3, SSN 4, etc.
- This form, and any additional pages, must be served on all unrepresented parties and counsel of record.

A court or custodian is not required to review or redact any filed document for compliance with the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*. A party's or attorney's failure to comply with this section shall not affect access to case records that are otherwise accessible.

If a filed document fails to comply with the requirements of the above referenced policy, a court of record may, upon motion or its own initiative, with or without a hearing, order the filed document sealed, redacted, amended or any combination thereof; a magisterial district court may, upon request or its own initiative, redact, amend or both. A court of record may impose sanctions, including costs necessary to prepare a compliant document for filing in accordance with applicable authority.

**CONFIDENTIAL
INFORMATION
FORM**



Abuse Victim Addendum

Instructions for Completing the Abuse Victim Addendum: The Abuse Victim Addendum shall accompany a filing where confidential information is being provided by an abuse victim, as defined in this policy, **in family court actions** (see Pa.R.C.P. No. 1931(a)), **as required by law, ordered by the court, or otherwise necessary to effect the disposition of a matter.** This addendum, and any additional pages, shall only be provided to the court and shall remain confidential. The best way to protect confidential information is not to provide it to the court. Therefore, only provide confidential information to the court when it is required by law, ordered by the court or is otherwise necessary to effect the disposition of a matter.

Type of Family Court Action		
Divorce, Annulment, Dissolution of Marriage	Child Custody	
Support	Paternity	Protection from Abuse
This Information Pertains to:	Confidential Information:	References in Filing:
<hr/> (full name of abuse victim)	AV Address: <hr/>	Alternative Reference: AV 1 Address
<hr/> Docket/Case No. of Protection Order	AV Employer's Name & Address: <hr/>	Alternative Reference: AV 1 Employer's Name & Address
<hr/> Court/County	AV Work Schedule: <hr/>	Alternative Reference: AV 1 Work Schedule
	AV Other contact information: <hr/>	Alternative Reference: AV 1 Other contact information

Attach additional page(s) if necessary.

**CONFIDENTIAL
INFORMATION
FORM**



Abuse Victim Addendum

Additional page (if necessary)

Type of Family Court Action		
Divorce, Annulment, Dissolution of Marriage	Child Custody	
Support	Paternity	Protection from Abuse
This Information Pertains to:	Confidential Information:	References in Filing:
<hr/> (full name of abuse victim)	AV Address: <hr/>	Alternative Reference: AV __ Address
<hr/> Docket/Case No. of Protection Order	AV Employer's Name & Address: <hr/>	Alternative Reference: AV __ Employer's Name & Address
<hr/> Court/County	AV Work Schedule: <hr/>	Alternative Reference: AV __ Work Schedule
	AV Other contact information: <hr/>	Alternative Reference: AV __ Other contact information

Type of Family Court Action		
Divorce, Annulment, Dissolution of Marriage	Child Custody	
Support	Paternity	Protection from Abuse
This Information Pertains to:	Confidential Information:	References in Filing:
<hr/> (full name of abuse victim)	AV Address: <hr/>	Alternative Reference: AV __ Address
<hr/> Docket/Case No. of Protection Order	AV Employer's Name & Address: <hr/>	Alternative Reference: AV __ Employer's Name & Address
<hr/> Court/County	AV Work Schedule: <hr/>	Alternative Reference: AV __ Work Schedule
	AV Other contact information: <hr/>	Alternative Reference: AV __ Other contact information