

Complaint for Indirect Criminal Contempt of a Protection from Abuse Order

PLEASE READ ALL OF THE INFORMATION CONTAINED IN THIS PACKET BEFORE YOU START FILLING OUT THE FORMS.

THIS PACKET DOES NOT CONSTITUTE LEGAL ADVICE. IF YOU HAVE ANY QUESTIONS ABOUT THIS PROCESS, YOU SHOULD SEEK THE ADVICE OF AN ATTORNEY. THE COURT ASSUMES NO RESPONSIBILITY AND ACCEPTS NO LIABILITY FOR ACTIONS TAKEN BY USERS OF THESE DOCUMENTS, INCLUDING RELIANCE ON THEIR CONTENTS.

We encourage you to contact an attorney to advise you on this matter. If you cannot afford an attorney, the Court will not appoint an attorney for you. You may contact Northwestern Legal Services at (800) 665-6957 or (814) 724-1040 and/or the Crawford County District Attorney's Office at (814) 333-7455 to see if they will provide free legal services to you. They are not obligated to do so.

You will be required to follow the State and Crawford County Rules of Civil Procedure and all applicable laws even if you do not have an attorney.

This packet can be used by Plaintiffs currently protected by a Protection from Abuse (PFA) Order to file for Indirect Criminal Contempt when the Defendant has committed a non-economic violation of any provision of a PFA Order.

If the Defendant has violated an economic condition of the PFA Order, you should use the packet for Civil Contempt of a PFA instead of this packet.

To complete this packet, you will need:

- A copy of your active PFA Order;
- The contact information for the Defendant; and
- At least an hour to complete the process at the Judicial Center.

Instructions (page 1 of 2):

1. When filling out these forms, please write as clearly and neatly as possible.
2. Fill out these forms to the best of your ability, completing every line that applies. **DO NOT LEAVE ANY LINES BLANK.** Use “None” or “0” if necessary. Do NOT use “N/A” anywhere on the forms.
3. Be sure the caption is filled out **EXACTLY** the same on each form in your case. Check the original complaint to find out who the “Plaintiff” and “Defendant” would be. The “No.” line is for the case number, which was assigned when the original complaint was filed.
4. When filling out the “Complaint for Indirect Criminal Contempt for Violation of Protection from Abuse Order” [page 4], only fill in your address in paragraph 2 if your address has not been made confidential by your PFA or other judicial order. If your address is confidential, write “Confidential” on the address line.
5. When filling out the “Probable Cause Affidavit” [page 5], please include as much detail as possible about the “Defendant’s” non-economic violation(s) of the PFA Order. You should have an independent third party witness your signature on this page.
6. The first “Notice and Order to Appear” [page 6], the second “Notice and Order to Appear” [page 7] and the “Warrant of Arrest” [page 8] are for the Judge’s use. You should only fill out the caption; print the names of the “Plaintiff” and “Defendant” and write in the case number at the top of the pages so the Judge will not have to do so for any page he uses.
7. **If you are filing this packet with the District Attorney’s Office in the Crawford County Judicial Center**, you will take the completed packet to the District Attorney’s Office on the first floor of the Judicial Center. 23 Pa. C.S.A. § 6113.1 (a). The D.A. shall forward the “Complaint” and related documents to the Prothonotary’s Office on the second floor of the Judicial Center; from there, the Prothonotary will contact the Court Administrator who shall arrange for a Judge to review the “Complaint” as soon as practicable. *Craw. Co. L.R.C.P. 1901.5 (3)*.
 - a. If the Judge finds that there may be grounds for finding the “Defendant” in contempt, he may hold a brief hearing to interview you, set a hearing on the ICC charges, and decide whether or not to issue a warrant for the “Defendant’s” arrest.
 - b. If the “Defendant” is arrested, he/she will be brought before the Judge for a preliminary arraignment; the Judge may set a bail amount that the “Defendant” must post to be released from jail.
 - c. After the Judge signs a “Notice and Order to Appear,” you must take all the forms to the Prothonotary’s Office and file them, then take the copies to the Sheriff on the second floor of the Judicial Center so they may serve it upon the “Defendant.”
 - d. If you are granted a hearing on your “Complaint for Indirect Criminal Contempt for Violation of Protection from Abuse Order,” your hearing will be set for a PFA Court date within ten (10) days. The Judge will either tell you the date of your hearing, or you will be given written notice of the hearing date on the “Notice and Order to Appear” that the Judge signs. However, that date might change if a warrant is issued. You should make sure the Prothonotary’s office has your current mailing address to notify you of any changes. You must appear at the scheduled time or your complaint could be dismissed.

Instructions (page 2 of 2):

8. **If you are filing this packet with the Court Administrator in the Crawford County Judicial Center**, please give the completed packet to an available Women's Services court advocate or staff member in the law library or Court Administrator's Office. That person will take the paperwork to the next available Judge for his review.
- e. If the Judge finds that there may be grounds for finding the "Defendant" in contempt, he may hold a brief hearing to interview you, set a hearing on the ICC charges, and decide whether or not to issue a warrant for the "Defendant's" arrest.
 - f. If the "Defendant" is arrested, he/she will be brought before the Judge for a preliminary arraignment; the Judge may set a bail amount that the "Defendant" must post to be released from jail.
 - g. After the Judge signs a "Notice and Order to Appear," you must take all the forms to the Prothonotary's Office and file them, then take the copies to the Sheriff on the second floor of the Judicial Center so they may serve it upon the "Defendant."
 - h. If you are granted a hearing on your "Complaint for Indirect Criminal Contempt for Violation of Protection from Abuse Order," your hearing will be set for a PFA Court date within ten (10) days. The Judge will either tell you the date of your hearing, or you will be given written notice of the hearing date on the "Notice and Order to Appear" that the Judge signs. However, if the Judge issues a "Warrant of Arrest," the hearing date will not be set until the Defendant appears before a Judge for a preliminary arraignment.

IF AT ALL POSSIBLE, YOU SHOULD FILE YOUR PRIVATE COMPLAINT FOR INDIRECT CRIMINAL CONTEMPT IN THE COURT ADMINISTRATOR'S OFFICE IN THE CRAWFORD COUNTY JUDICIAL CENTER IF YOU ARE DOING SO DURING NORMAL BUSINESS HOURS AT THE CRAWFORD COUNTY JUDICIAL CENTER.

9. **If you are filing this packet with a Magisterial District Judge (MDJ) and this is a Private ICC**, you will give the paperwork to the MDJ's staff, who will give it to the MDJ for his/her review.
- i. The MDJ may hold a brief hearing to determine if there may be grounds to hold the "Defendant" in contempt of the PFA Order. The MDJ will decide whether or not to issue a warrant for the "Defendant's" arrest. If the MDJ does not issue a warrant for the "Defendant's" arrest, an Order will be entered setting a hearing date and time before a Judge at the Crawford County Judicial Center.
 - j. If a warrant is issued a hearing date will be set and when the "Defendant" is arrested, the "Defendant" will be brought before the MDJ for a Preliminary Arraignment. The MDJ may set a bail amount that the "Defendant" must post to be released from jail.
 - k. The MDJ will send your original complaint to the Prothonotary's Office at the Judicial Center and will also notify the Court Administrator so that the hearing can be put on the schedule
 - l. If a warrant has not been issued for the "Defendant's" arrest you should take your copy of that Order to the Sheriff's Office in the Crawford County Judicial Center so that the "**Defendant**" can be served with that Order and be made aware of the hearing date and time. If a warrant has been issued by the MDJ and the "Defendant" has been preliminarily arraigned by the MDJ, you do not need to go to the Sheriff's Office because the "Defendant" will be notified of the date and time of the hearing by the MDJ at the Preliminary Arraignment.
10. The hearing on your complaint will be held at the Crawford County Judicial Center within ten (10) days of the date you file your complaint, but it may be continued if the "Defendant" is not served. Nonetheless, you must appear at the hearing or your complaint may be dismissed.

IN THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

Plaintiff
vs. _____ AD. _____

Defendant

COMPLAINT FOR INDIRECT CRIMINAL CONTEMPT FOR A
VIOLATION OF PROTECTION OF ABUSE ORDER

I, the undersigned, do hereby state under oath:

- 1. My name is _____, I am the investigating officer Plaintiff in the above captioned case.
- 2. The Plaintiff in the above captioned case resides at (if the address is confidential under a judicial order, please write "confidential") _____
- 3. I accuse the Defendant, _____, who lives at _____ with violating a Protection from Abuse Order entered by Judge _____ on the _____ day of _____, 20____ (attach a copy of the Order if available).
- 4. The date (and day of the week) when the accused committed an offense was on or about _____.
- 5. The offense was committed in the County of _____.
- 6. The acts committed by the Defendant are set forth in the attached "Probable Cause Affidavit."
- 7. If the Defendant has not already been arrested, I ask that a warrant of arrest be issued and the Defendant be required to answer the charges I have made.

I verify that the statements made in this complaint are true and correct to the best of my knowledge, information and belief. I further understand that any false statements made herein are subject to the penalties of 18 Pa. C.S.A. §4904, relating to unsworn falsification to authorities.

Date: _____ Signature of Affiant: _____

The above subscribed affiant personally appeared before me on (date): _____ signed the complaint in my presence and asserted that the facts therein are true and correct; and wherefore it appears that there is probable cause for the issuance of process.

Issuing Authority (SEAL)

PROBABLE CAUSE AFFIDAVIT

**PROTECTION FROM ABUSE
INDIRECT CRIMINAL CONTEMPT AFFIDAVIT**

On _____, 20____, the Defendant _____
did commit the following in violation of a Protection from Abuse Order entered by a Judge of the Court of
Common Pleas of Crawford County, Pennsylvania on _____, 20____
AD. 20____ - _____.

The acts committed were:

I verify that the statements made in this statement are true and correct to the best of my knowledge,
information and belief. I further understand that any false statements made herein are subject to the penalties
of 18 Pa. C.S.A. §4904, relating to unsworn falsification to authorities.

Witness

Affiant

Date

Print Affiant Name

Address: _____

**IN THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW**

| | | |
|------------------|---|------------------|
| Plaintiff | : | |
| | : | |
| | : | |
| vs. | : | AD. _____ |
| | : | |
| | : | |
| Defendant | : | |

NOTICE AND ORDER TO APPEAR

TO THE DEFENDANT:

Legal proceedings have been brought against you alleging that you have willfully disobeyed an Order of Court under the Protection from Abuse Act.

If you wish to defend against the claim set forth in the following pages, you may, but are not required to file in writing with the Court your defenses or objections.

Whether or not you file in writing with the Court your defenses or objections you must appear in person in Court on the _____ day of _____, 20____ at 8:30 A.M. in Courtroom #1, #2 or #3 of the Crawford County Judicial Center, Meadville, Pennsylvania.

IF YOU DO NOT APPEAR IN PERSON THE COURT MAY ISSUE A WARRANT FOR YOUR ARREST.

If the Court finds that you have willfully violated the Protection from Abuse Order, you may be found in contempt of court and committed to jail for up to six months and a fine from \$300.00 to \$1,000 or both.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER AND CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

Court Administrator
Crawford County Judicial Center
Meadville, Pennsylvania 16335
(814)333-7498

YOU MAY BE ENTITLED TO THE SERVICES OF THE PUBLIC DEFENDER'S OFFICE FREE OF CHARGE. YOU MUST APPLY AS SOON AS YOU RECEIVE THIS PAPERWORK AT THE OFFICE OF THE PUBLIC DEFENDER, MASONIC BUILDING, 3RD FLOOR, 310 CHESTNUT STREET, SUITE 333, MEADVILLE, PA 16335 (814) 333-7367.

A COPY OF THIS NOTICE AS WELL AS A COPY OF THE INDIRECT CRIMINAL CONTEMPT PETITION AND ATTACHMENTS SHALL BE SERVED ON THE DEFENDANT AT HIS/HER LAST KNOWN ADDRESS BY THE SHERIFF OF CRAWFORD COUNTY.

BY THE COURT:

Date: _____

J.

**IN THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW**

| | | |
|-----------|---|-----------|
| Plaintiff | : | |
| | : | |
| vs. | : | AD. _____ |
| | : | |
| Defendant | : | |

NOTICE AND ORDER TO APPEAR
(TO BE USED AFTER WARRANT ISSUED FOR DEFENDANT'S ARREST HAS BEEN SERVED
OR THE DEFENDANT HAS BEEN BROUGHT BEFORE THE COURT AFTER A WARRANTLESS ARREST)

TO THE DEFENDANT:

1. You are hereby ORDERED to appear for a hearing on:

Date: _____ Time: **8:30 A.M.** Place: **Courtroom #1, #2 or #3 of the Crawford County Judicial Center, Meadville, Pennsylvania.** If this date has passed then a new date has been set and you must contact the Court Administrator for the time and date.

2. You have been charged with violating the Protection from Abuse Order that is in force and effect.

3. Your bail is set at: _____. If you cannot post this bail prior to the hearing you will remain incarcerated until the hearing.

4. If the Court finds that you have willfully violated the Provisions of Protection from Abuse Order you may be found in contempt of Court and committed in jail up to six months and fined from \$300.00 to \$1,000.00 or both.

TO PROTECT YOUR RIGHTS, YOU SHOULD HAVE A LAWYER REPRESENT YOU AT THIS HEARING. IF YOU DO NOT HAVE A LAWYER AND CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

Court Administrator
Crawford County Judicial Center
Meadville, Pennsylvania 16335
(814)333-7498

YOU MAY BE ENTITLED TO THE SERVICES OF THE PUBLIC DEFENDER'S OFFICE FREE OF CHARGE. YOU MUST APPLY AS SOON AS YOU RECEIVE THIS PAPERWORK AT THE OFFICE OF THE PUBLIC DEFENDER, MASONIC BUILDING, 3RD FLOOR, 310 CHESTNUT STREET, SUITE 333, MEADVILLE, PA 16335 (814) 333-7367.

CERTIFICATE OF SERVICE OF NOTICE OF HEARING

I certify that on this day I personally served the above Notice of Hearing on the Defendant in this case.

Defendant is: _____ released on bail or _____
incarcerated in lieu of bail in the amount of \$ _____.

(SEAL) _____ (DATE)

Judge

(If a Magisterial District Judge issues an emergency order then that Judge shall schedule the hearing for 8:30 a.m. in the Court of Common Pleas on the Thursday that is the furthest away but still within ten (10) days from the date the Complaint for Indirect Criminal Contempt was filed. The Magisterial District Judge shall promptly send a copy of this notice and all paperwork involved to the Court Administrator by fax and send the original to the Prothonotary.)

**IN THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW**

| | | |
|------------------|---|------------------|
| Plaintiff | : | |
| | : | |
| | : | |
| vs. | : | AD. _____ |
| | : | |
| | : | |
| Defendant | : | |

WARRANT OF ARREST

_____, J. Date: _____

AND NOW, this _____ day of _____, the Court, having found that probable cause exists for the arrest of the Defendant based upon the Affidavit sworn to before the undersigned Judge, a Warrant for Arrest is issued to the Sheriff of Crawford County to place _____, under arrest.

Upon arrest, the Defendant shall be brought without unnecessary delay before a Judge of the Court of Common Pleas for a preliminary arraignment if the Court of Common Pleas is open for business at that time. In the event the Court of Common Pleas is not open for business at the time the Defendant is to be brought before the Court, the Defendant shall be brought before the on call Magisterial District Judge for a preliminary arraignment without unnecessary delay.

You are hereby ORDERED to appear for a hearing on:

Date: _____ **Time:** 8:30 A.M. **Place:** Courtroom #1, #2 or #3 of the Crawford County Judicial Center, Meadville, Pennsylvania. **If this date has passed then a new date has been set and you must contact the Court Administrator for the time and date.**

The sheriff or executing police officer shall deliver to the Defendant the following document(s) which is/are attached to this Warrant:

1. Complaint for Indirect Criminal Contempt for violation of a Protection from Abuse Order with attachments;
2. A copy of the Notice and Order to Appear which contains the hearing date; and
3. _____

BY THE COURT,

J.

IN THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY, PENNSYLVANIA

v. _____

: : : : : : : : :
No. _____

CERTIFICATE OF COMPLIANCE

This form is associated with the pleading titled _____, dated _____, 20__.

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

Date

Name: _____

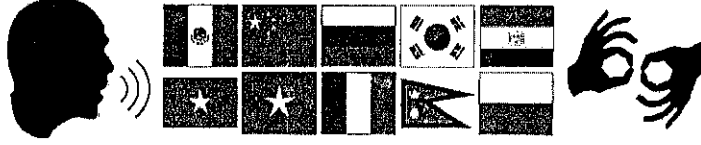
Attorney No. (if applicable): _____

Address: _____

Telephone: _____

Email: _____

Notice of Language Rights



Language Access Coordinator, Crawford County Court of Common Pleas
Crawford County Judicial Center, 359 E. Center St., Ste. 4050
Meadville, PA 16335 ph. (814) 333-7498 fax (814) 333-7489
CourtAdministration@co.crawford.pa.us

English: You have the right to an interpreter at no cost to you. To request an interpreter, please inform court staff using the contact information provided at the top of this notice.

Spanish/Español: Usted tiene derecho a un intérprete libre de costo. Para solicitar un intérprete favor de informárselo al personal judicial utilizando la información provista en la parte superior de este aviso.

Mandarin/Cantonese Simplified Chinese/普通话/粵語簡體中文: 您有权获得免费的口译员服务。若需要口译员，请使用本通知上方提供的联系信息通知法院工作人员。

Mandarin/Cantonese Traditional Chinese/普通話/廣東話繁體中文: 您有權要求免費傳譯服務。如欲要求傳譯服務，請參閱本通知頂部的聯絡資料，通知法庭職員。

العربية/Arabic: يحق لك الحصول على مترجم دون دفع أي تكلفة من جانبك. لطلب مترجم، يُرجى إعلام موظفي المحكمة باستخدام معلومات الاتصال المقدمة في الجزء العلوي من هذا الإشعار.

Russian/Русский: У вас есть право на бесплатные услуги переводчика. Заявка на переводчика подается в суд по адресу, телефону или эл. почте, указанным выше в заголовке этого уведомления.

Vietnamese/Tiếng Việt: Quý vị có quyền được một thông dịch viên giúp mà không tốn chi phí nào cả, xin hãy báo cho nhân viên tòa án dùng thông tin liên lạc có ở trên đầu thông báo này.

Nepali/नेपाली: तपाईंको निःशुल्क रूपमा भाषा अनुवादक राख्न पाउने अधिकार छ। अनुवादकको लागि अनुरोध गर्न, यस सूचनाको माथि दिइएको सम्पर्क जानकारी भरेर अदालतका कर्मचारीहरूलाई जानकारी दिनुहोस्।

Korean/한국어: 귀하는 비용에 대한 부담 없이 통역 서비스를 받을 권리가 있습니다. 통역 서비스를 요청하려면 본 통지서의 상단에 기재된 연락처를 통해 법원 직원에게 알리십시오.

Polish/Polski: Ma Pan/Pani prawo do nieodpłatnego skorzystania z usług tłumacza ustnego. Aby zwrócić się o wsparcie ze strony tłumacza ustnego, proszę skontaktować się z pracownikami sądu, korzystając z danych znajdujących się w górnej części niniejszego dokumentu.

Pakistan/پنجابی/Punjabi: تہاڈے کول بغير ادائیگی کیتیاں اک مترجم حاصل کرن دا حق اے۔ مترجم دی درخواست کرن لئی، میربانی کر کے ایس نوٹس دے اوتے فراہم کیتیاں رابطے دیاں معلومات نوں ورتدیاں عدالت دے عملے نوں اطلاع دوو۔

Punjabi/ਪੰਜਾਬੀ/India: ਤੁਹਾਨੂੰ ਇਕ ਦੁਭਾਸ਼ੀਆ ਹਾਸਲ ਕਰਨ ਦਾ ਹੱਕ ਹੈ, ਜਿਸ ਦੀ ਤੁਹਾਨੂੰ ਕੋਈ ਲਾਗਤ ਨਹੀਂ ਲੱਗੇਗੀ। ਦੁਭਾਸ਼ੀਏ ਲਈ ਬੇਨਤੀ ਕਰਨ ਵਾਸਤੇ, ਕਿਰਪਾ ਕਰ ਕੇ ਅਦਾਲਤ ਦੇ ਅਮਲੇ ਨੂੰ ਜਾਣੂ ਕਰਵਾਓ ਤੇ ਇਸ ਲਈ ਇਸ ਨੋਟਿਸ ਦੇ ਸਿਖਰ ਉਤੇ ਦਿੱਤੀ ਸੰਪਰਕ ਜਾਣਕਾਰੀ ਦਾ ਇਸਤੇਮਾਲ ਕਰੋ।

Portuguese/Português: Você tem direito a um intérprete gratuitamente. Para solicitar um intérprete, informe à nossa equipe usando os dados de contato mostrados na parte superior deste aviso.

Somali/Somaali: Waxaad xaq u leedahay in lagu turjumo lacag la'aan ah. Si aad u codsato turjumaanka, fadlan u sheeg maxkamadda shaqaalaha adiga oo isticmaala macluumaadka ciwaanka kor lagu siiyay ee ogeysiiskan.

Haitian Creole/Kreyòl Ayisyen: Ou gen dwa resevwa sèvis yon entèprèt gratis. Pou mande pou yon entèprèt, tanpri fè manm pèsònèl tribinal la konnen lè ou sèvi avèk enfòmasyon an yo te bay ou nan tèt avi sa a.

French/Français: Vous avez le droit de bénéficier gratuitement de l'assistance d'un interprète. Pour en faire la demande, veuillez en informer le personnel du tribunal à l'aide des coordonnées indiquées en haut de page.