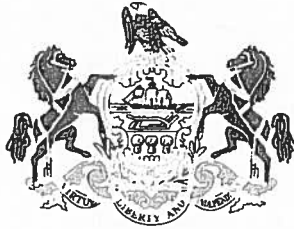


**THOMAS C. CREIGHTON, MEMBER**

PO BOX 202037  
HARRISBURG, PA 17120-2037  
PHONE: (717) 772-5290  
FAX: (717) 783-1904

47 MARKET SQUARE  
MANHEIM, PA 17545  
PHONE: (717) 664-4979  
FAX: (717) 664-4997

503 MAIN STREET  
DENVER, PA 17517  
PHONE: (717) 336-2199  
FAX: (717) 336-4522



**House of Representatives**  
Commonwealth of Pennsylvania  
Harrisburg

**COMMITTEES**

LOCAL GOVERNMENT,  
REPUBLICAN CHAIRMAN

JUDICIARY

E-MAIL: [tcreight@pahousegop.com](mailto:tcreight@pahousegop.com)  
WEBSITE: [www.RepCreighton.com](http://www.RepCreighton.com)

**MEMORANDUM**

**TO:** All House Members

**FROM:** Representative Thomas C. Creighton *T.C.C.*

**DATE:** May 25, 2011

**SUBJECT:** Cosponsorship – Protection from Abuse Act

It has come to my attention that there is some confusion regarding the way the Protection from Abuse Act works in cases where temporary orders are issued. Under the act, the court may hold a proceeding at which the defendant is not present, if there is immediate and present danger of abuse to the plaintiff. Although the court may enter a temporary order, the act envisions that the temporary order will only be in effect for a short time, 10 business days, and that the court will subsequently hold a hearing at which the defendant is afforded all protections due under the Due Process Clause.

My legislation will clarify that the court must hold a hearing within 10 business days of the issuance of a temporary order. The legislation specifically provides that failure to hold the hearing beyond the 10-day period, as the statute currently commands, renders the temporary order void. Further, no proceedings may be held on the petition, nor may the order be enforced, nor may another petition which is based on the same facts and circumstances be considered by the court.

If you would like to cosponsor this legislation, please contact Suzanne Stuck at [ssluck@pahousegop.com](mailto:ssluck@pahousegop.com) or 787-3879.