

What is a Sexual Violence Protection (SVP) Order?

A Sexual Violence Protection Order (SVP) is an order entered by the Court which tells the offender to have no contact with his/her victim or face serious legal consequences. It offers a civil remedy to both female and male victims. There are three (3) types of Sexual Violence Protection Orders:

- 1) **Emergency** Sexual Violence Protection Orders are issued by a Magisterial District Judge when the Court is closed during non-business hours, or unavailable. An emergency Sexual Violence Protection Order expires at the end of the next business day for the Court.
- 2) **Temporary** Sexual Violence Protection Orders are issued by the Court of Common Pleas until a final hearing can be held, which is scheduled within 10 business days.
- 3) **Final** Sexual Violence Protection Orders are entered as a result of an appearance before the Court (at the Courthouse) where both parties have the chance to be heard by the Judge.

Where do you file for a SVP?

- 1) The county where the plaintiff resides, either temporarily or permanently, or is employed; or
- 2) the county where the defendant may be served; or
- 3) the county where the violence occurred.

Who can file?

There must be **NO** defined legal relationship between the plaintiff and the offender to file a SVP Petition. A **relationship** is defined as a spouse, ex-spouse or persons who have lived like spouses; a current or former sexual or intimate partner; a parent or child; a brother or sister; other persons related by blood or marriage.

If you are a minor (under the age of 18) a parent, guardian or another adult household member must file on your behalf.

****Note**** If you have a relationship with the offender that meets the definition above, a Sexual Violence Protection Order cannot be entered. You may qualify for a Protection from Abuse (PFA) Order instead.

What is Sexual Violence?

Sexual Violence is legally defined as conduct between persons who are NOT family or household members or do not otherwise have a relationship that constitutes one of the following crimes:

- 1) Sexual offenses;
- 2) Endangering the welfare of child/ren, if the offense involved sexual contact with the victim;
- 3) Corruption of minors;
- 4) Sexual abuse of a child/ren;
- 5) Unlawful contact with a minor; or
- 6) Sexual exploitation of child/ren.

When it is not a SVP?

You are not entitled to file a SVP petition:

- 1) against someone who you have or have had an intimate relationship with;
- 2) against someone in your family;
- 3) if there is no continuing risk of harm from the offender.

The SVP filing process:

Parties desiring to file a Temporary Sexual Violence Protection Petition should appear in the Domestic Relations Office, located on Level L of the Butler County Government Center, between 8:30 and 10:30 AM Monday through Friday. You should plan to be at the Government Center the entire morning. Cases are handled in the order in which the parties appear in the Domestic Relations Office. You may be one of several filing on any given day. If you are filing on behalf of a child and they are over the age of nine (9), you are required to bring the child with you.

A representative from VOICe (the Victim Outreach Intervention Center) will be available at the Domestic Relations Section to speak with you concerning the incident and provide you with information and options.

All temporary SVP petitions will be presented to a Judge at approximately 11:30 a.m. that same morning. If the Judge grants the Temporary Sexual Violence Protection Order, it will be in effect for up to ten (10) business days, and a final hearing date will be set. A deputy sheriff will be directed to notify the offender, and serve him/her with the same paperwork you will receive.

While you are not required to have legal representation when seeking a Temporary Sexual Violence Protection Order, you are encouraged to have legal representation for the final hearing. If you cannot afford an attorney, you will be given information as to how to obtain free legal counsel through Neighborhood Legal Services or VOICe.

Are there any costs for filing a SVP?

The filing party will not be charged any fees for filing a SVP Petition. The Prothonotary's filing fees and the costs incurred by the Sheriff for serving papers on the defendant in this matter may be billed to the defendant. The costs will be assessed by the Court at the time of the final hearing.

NOTE:

The plaintiff may file a SVP petition regardless of whether they seek criminal prosecution of the offender.

Through a SVP action, the Court does not have the power to punish the offender, unless the abuser violates the Sexual Violence Protection Order.



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Sexual Violence Protection



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