

**GENERAL INSTRUCTIONS
FOR THOSE ASKING FOR A PROTECTION FROM ABUSE ORDER**

NOTICE

The protection from abuse process is designed to provide quick and immediate protection. However, the process may require time, expertise, or more than one hearing. If you have questions, you should ask for help from an attorney or victim services advocate. The Kansas Crisis Hotline (1-888-363-2287) or Kansas Legal Services (1-800-723-6953) may be able to help you find an attorney or advocate.

These are basic forms and they do not cover every situation. The Clerk of the District Court cannot help you with these forms. The clerk cannot give legal advice to you or tell you about your rights or responsibilities. The clerk can only provide very limited information about the protection order process. You can find more information about protection from abuse at www.kcsdv.org and <https://www.kansaslegalservices.org/node/2036/pfa-tips-tricks-part-1-preparing-your-pfapfs>.

1. You may ask for a protection from abuse order:

- a. For yourself; or,
- b. For yourself and a minor child(ren); or,
- c. For only a minor child(ren).

You may file on behalf of a minor child if:

- a. You are the child's parent; or
- b. You are an adult residing with the child; or
- c. You are the child's court-appointed legal custodian or guardian.

2. Each person for whom protection is sought must be in (or have been in) an "intimate partner or household member" relationship with the defendant.

"Intimate partner or household member" relationship means:

- a. Persons who are in a dating relationship (a social relationship of a romantic nature); or,
- b. Persons who have been in a dating relationship; or,
- c. Persons who live together; or,
- d. Persons who have lived together; or,
- e. Persons who have had a child in common.

3. Each person needing protection must have been abused. This means that one of the following must have occurred:
 - a. The defendant physically hurt you or a minor child on purpose; or,
 - b. The defendant tried to physically hurt you or a minor child; or,
 - c. The defendant threatened to physically hurt you or a minor child; or,
 - d. The defendant engaged in any sexual contact or attempted sexual contact with you or a minor child when such person was incapable of giving consent; or,
 - e. The defendant engaged in sexual conduct (touching or sexual intercourse) with a minor child under 16 years of age.

4. If you meet the requirements above, you may file a **Petition for Protection from Abuse Order** with any district court. You must also complete the **Self-Represented Litigant Certification Form** and file it with your petition. If you want your address and telephone number to remain confidential, you must complete the **Protection from Abuse Confidential Address Form** and include it with your petition.

5. The defendant must be notified by personal service that you have filed a **Petition for a Protection from Abuse Order**. The clerk of the district court will give the paperwork to the sheriff's office to deliver to the defendant.

If personal service cannot be made, then service may be obtained as provided by order of the judge.

6. If the defendant is a minor, you must complete the **Minor Defendant Addendum**. Petitions, motions and temporary protection from abuse orders filed against a minor defendant must be served by serving the minor **and**:

- a. The minor's guardian or conservator, if any; **or**,
- b. The minor's father or mother; **or**,
- c. A person having the minor's care or control; **or**,
- d. A person with whom the minor resides.

If service cannot be made upon any of these people, then service may be obtained as provided by order of the judge.

7. You should be available to testify at future hearings as set by the judge. If you fail to appear, the case may be dismissed. You are the one asking for the protective order, and you must convince your judge of what you claimed to be true. You may bring other evidence and call additional witnesses in support of your claim.

8. Your final protection order will expire on the date stated in the order unless you ask for an extension from the court before the order expires.

Extension for one to three years

To ask for an extension for one to three years, you can use the form titled “**Motion to Extend Final Protection from Abuse Order for One to Three Additional Years.**” You must file the motion with the clerk of the district court and mail a copy of the motion to the defendant. You must file your motion to extend the order before your order ends. It is a good idea to file the motion at least a month before your order ends because this process can take several weeks.

Extension for one or more years

If the defendant has violated a protection order or been convicted of a person felony against you or a member of your household, you may ask the court to extend the protection order for one year or longer. You can use the form titled “**Motion to Extend Final Protection from Abuse Order for One Additional Year or Up to Life.**” The motion asking to extend an order for one year or longer must be filed with the clerk of the district court and then personally served on the defendant. The court must hold a hearing where the defendant may appear, present evidence, and question witnesses. You must file your motion to extend the order before your order ends. It is a good idea to file the motion at least a month before your order ends because this process can take several weeks.

9. If you are the defendant and you want to ask for a protection from abuse order against the plaintiff, you must meet all the requirements in paragraphs one (1) through three (3) above, and then you may file a written counter-petition.

10. *Child Support*

If you decide to ask the court to order or modify child support, it is highly recommended that you get the advice of an attorney. In order for the court to order or modify child support, you must complete a **Domestic Relations Affidavit** and a **Child Support Worksheet** and attach them to the **Petition for Protection from Abuse**. If the court grants child support, the court will complete the Child Support Addendum and attach it to the **Final Protection from Abuse Order**. You will then need to complete a **Kansas Payment Center Form**, attach it to a copy of the **Final Protection from Abuse Order** including the Child Support Addendum and provide it to the Clerk of the District Court.

11. *Wireless Telephone Number(s)*

You may ask the court to transfer the rights to and the billing responsibility for the wireless telephone numbers used by you and/or the children in your care from the defendant to you. If the court grants your request, the court will complete an **Order Transferring Wireless Telephone Number(s)**. You must send a copy of the file-stamped **Order Transferring Wireless Telephone Number(s)** and the **Confidential Information for Order Transferring Wireless Telephone Number(s)** to the wireless service provider’s agent for service of process listed with the secretary of state.

CIVIL COVER SHEET

The civil cover sheet neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Clerk of the District Court for the purposes of initiating the civil docket sheet. This information will not be available to the public and this document will be stored in a separate location from the case file and then destroyed within a reasonable time. A new case **will not be accepted** without a cover sheet attached. (THIS FORM MUST BE TYPED OR PRINTED LEGIBLY). This form can be found at www.kscourts.org.

NATURE OF SUIT (Mark only one - If the case involves more than one of the following categories, indicate the category having the highest dollar value.)

<u>CIVIL</u> If a CH. 61: \$ _____ (Judgment Demand Amount)			
<u>TORT</u> <input type="checkbox"/> Asbestos Product Liability <input type="checkbox"/> Automobile Tort <input type="checkbox"/> Intentional Tort <input type="checkbox"/> Legal Malpractice <input type="checkbox"/> Medical Malpractice <input type="checkbox"/> Other Professional Malpractice <input type="checkbox"/> Premises Liability <input type="checkbox"/> Slander/Libel/Defamation <input type="checkbox"/> Tobacco Product Liability <input type="checkbox"/> Toxic/Other Product Liability <input type="checkbox"/> Other Tort	<u>CONTRACT</u> <input type="checkbox"/> Buyer Plaintiff <input type="checkbox"/> Employment Dispute - Discrimination <input type="checkbox"/> Employment Dispute - Other <input type="checkbox"/> Fraud <input type="checkbox"/> Landlord/Tenant - Forcible Detainer <input type="checkbox"/> Landlord/Tenant Dispute - Other <input type="checkbox"/> Seller Plaintiff (debt collection) <input type="checkbox"/> Other Contract <u>CIVIL APPEALS</u> <input type="checkbox"/> Administrative Agency <input type="checkbox"/> Other Civil Appeal <input type="checkbox"/> Tax Appeal	<u>REAL PROPERTY</u> <input type="checkbox"/> Eminent Domain <input type="checkbox"/> Mortgage Foreclosure <input type="checkbox"/> Other Real Property <input type="checkbox"/> Tax Foreclosure <u>MISCELLANEOUS</u> <input type="checkbox"/> 60-1507 <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> Other Writs <input type="checkbox"/> Name Change <input type="checkbox"/> Post Judgment Elevation LM to CV <input type="checkbox"/> Transfer Pre-Judgment LM to CV	<input type="checkbox"/> <u>STATE TAX WARRANT</u> <input type="checkbox"/> <u>OTHER CIVIL</u> <input type="checkbox"/> <u>SMALL CLAIMS</u>

DOMESTIC

<input type="checkbox"/> <u>MARRIAGE DISSOLUTION/DIVORCE</u>	<input type="checkbox"/> <u>PROTECTION FROM ABUSE</u>	<input type="checkbox"/> <u>PROTECTION FROM STALKING</u>	<input type="checkbox"/> <u>UIFSA</u>
<input type="checkbox"/> <u>OTHER DOMESTIC RELATIONS</u>	<input type="checkbox"/> <u>NON-DIVORCE SUPPORT, CUSTODY OR VISITATION</u>	<input type="checkbox"/> <u>PATERNITY</u>	
<input type="checkbox"/> <u>DOMESTIC FOREIGN JUDGMENT (OUT OF COUNTY)</u>			

PROBATE/ESTATE

<u>GUARDIAN/CONSERVATOR</u> <input type="checkbox"/> Conservatorship/Trusteeship <input type="checkbox"/> Guardianship - Adult <input type="checkbox"/> Guardianship - Minor <input type="checkbox"/> Guardian/Conservator - Adult <input type="checkbox"/> Guardian/Conservator - Minor <u>PROBATE RECORDS</u> <input type="checkbox"/> Probate Record - Other County <input type="checkbox"/> Probate Record - Other State	<input type="checkbox"/> <u>DETERMINATION OF DESCENT</u> <input type="checkbox"/> <u>SEXUALLY VIOLENT PREDATOR</u> <input type="checkbox"/> <u>DECEDENT ESTATE</u> <input type="checkbox"/> <u>REFUSAL TO GRANT LETTERS</u> <input type="checkbox"/> <u>FILING WILL AND AFFIDAVIT</u> <input type="checkbox"/> <u>OTHER PROBATE/ESTATE</u>	<input type="checkbox"/> <u>ADOPTION</u> <input type="checkbox"/> <u>FOREIGN ADOPTION</u> <input type="checkbox"/> <u>CARE AND TREATMENT</u> <input type="checkbox"/> <u>TERMINATION OF JOINT TENANCY</u> <input type="checkbox"/> <u>TERMINATION OF LIFE ESTATE</u>
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JURY DEMAND ☐ YES (Check yes only if jury demand is included in petition or as a separate pleading)
☐ NO

SUMMONS ATTACHED: ☐ YES **SHERIFF'S PROCESS FEE ATTACHED** ☐ YES
☐ NO ☐ NO

SERVICE BY: ☐ PROCESS SERVER/ATTORNEY
☐ SHERIFF IN STATE _____ (County)
☐ SHERIFF OUT OF STATE _____ (State)

PLAINTIFF/SUBJECT INFORMATION

(ATTACH ADDITIONAL SHEET, IF NECESSARY)

NAME: _____

ADDRESS: _____

PHONE: _____ SEX: _____

CELL PHONE: _____

E-MAIL: _____

SSN: _____ DOB: _____

DL OR STATE ID NO: _____
State and NumberALIAS NAMES USED: _____
_____**ATTORNEYS**

(Firm Name, Address, Telephone Number and Supreme Court ID Number)

_____**DEFENDANT/OTHER PARTY INFORMATION**

(ATTACH ADDITIONAL SHEET, IF NECESSARY)

NAME: _____

ADDRESS: _____

PHONE: _____ SEX: _____

CELL PHONE: _____

E-MAIL: _____

SSN: _____ DOB: _____

DL OR STATE ID NO: _____
State and NumberALIAS NAMES USED: _____
_____**ATTORNEYS**

(Firm Name, Address, Telephone Number and Supreme Court ID Number)

_____**FOR DOMESTIC CASES - NAME, DATE OF BIRTH AND SOCIAL SECURITY NUMBER OF EACH DEPENDENT CHILD:**

(Name)

(Date of Birth)

(Social Security Number)

The requirement that Social Security numbers be included on domestic cases is mandatory, and authorized by the Supreme Court and federal law. On non-domestic cases, the Social Security number is not mandatory. The number is used for purposes of identification and may be disclosed as permitted by law. This form is not considered to be a public record.

IN THE DISTRICT COURT OF SEDGWICK COUNTY, KANSAS

Plaintiff

vs.

Defendant

Defendant address:

Case No. _____

PERSONAL SERVICE ONLY

SUMMONS AND NOTICE OF HEARING FOR PROTECTION ORDER

To the above-named defendant:

You are notified that the attached petition for protection was filed against you in this court and that the court
☐ **has entered** the attached temporary orders, or ☐ **has not entered** temporary orders against you.

A hearing on this matter has been scheduled on:

Date: _____, 20____

Time: _____ ☐ a.m. ☐ p.m.

Place: **Sedgwick County Courthouse, 525 N Main, Wichita, KS 67203, 1st Floor Jury Room.**

Children are not allowed in the courtroom during this docket.

If you do not attend the hearing, final orders may be issued against you. You may appear and cross-examine the plaintiff's witnesses and present evidence as to why the orders sought should not be granted. You may file an answer or counter-petition but are not required to do so. You have the right to appear with or without an attorney.

Date: _____



Clerk of the District Court/Deputy

RETURN OF SERVICE OF SUMMONS

☐ I certify under penalty of perjury that I have served this summons and notice of hearing:

By personally delivering on the _____ day of _____, 20____, at _____:_____ ☐ a.m. ☐ p.m.,
a copy of the summons and a copy of the petition and temporary orders (if any) to the above named defendant.

All done in _____ County, Kansas.

☐ I certify under penalty of perjury that I was not able to personally serve this summons and notice of hearing.

Date: _____

Sheriff/Deputy

IN THE DISTRICT COURT OF SEDGWICK COUNTY, KANSAS

_____, Plaintiff

vs.

Case No. _____

_____, Defendant

PROTECTION FROM ABUSE CONFIDENTIAL ADDRESS FORM
(K.S.A. 60-3104(e))

NOTE: IF THE COURT FINDS THAT THE PLAINTIFF'S ADDRESS AND TELEPHONE NUMBER NEED TO REMAIN CONFIDENTIAL FOR THE PROTECTION OF THE PLAINTIFF OR THE MINOR CHILD(REN), THIS FORM WILL BE SHOWN ONLY TO AUTHORIZED COURT OR LAW ENFORCEMENT PERSONNEL AND WILL NOT BE DISCLOSED TO THE PUBLIC OR TO THE DEFENDANT. IT IS THE PLAINTIFF'S RESPONSIBILITY TO NOTIFY THE COURT OF ANY CHANGE IN ADDRESS OR TELEPHONE NUMBER.

Name of Plaintiff: _____

Confidential Address:

Street _____

City _____ State _____ Zip Code _____

Phone Number _____

SERVICE COVER SHEET AND NCIC INFORMATION FORM

THIS FORM IS NOT TO BE INCLUDED IN THE PUBLIC RECORD AND SHOULD BE DESTROYED ONCE THE REQUIRED INFORMATION IS ENTERED IN THE NCIC FILE.

This information is intended to be used by law enforcement to identify the defendant for enforcement of the order and for entry into the National Crime Information Center (NCIC) database. Please fill out the information as completely and correctly as possible, be particularly careful with the dates of birth and spelling of names. PLEASE PRINT.

If there is more than one person being protected by the order (i.e. children), use the second page to provide information about each protected person.

Restrained Person/Defendant's Name: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> Any other name(s) Defendant has been known by: _____ _____ Defendant can be found at (give all available addresses): Home Address: _____ _____ _____ Phone number(s): _____ Times Defendant is usually there _____ _____ Place of employment: _____ _____ _____ Phone number(s): _____ Times Defendant is usually there _____ _____ Other Address: _____ _____ _____ Phone number(s): _____ Times Defendant is usually there _____ _____	Restrained Person/Defendant Identifiers: (Please include all available information.) <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"><tr><td style="width: 15%;">SEX</td><td style="width: 15%;">RACE</td><td style="width: 15%;">DOB</td><td style="width: 15%;">HT</td><td style="width: 15%;">WT</td></tr><tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr><tr><td>HAIR</td><td>EYES</td><td colspan="3">SOCIAL SECURITY NUMBER</td></tr><tr><td> </td><td> </td><td colspan="3"> </td></tr><tr><td colspan="2">DRIVERS LICENSE #</td><td>DL STATE</td><td colspan="2">DL EXP. DATE</td></tr><tr><td colspan="2"> </td><td> </td><td colspan="2"> </td></tr><tr><td colspan="2">VEHICLE MAKE</td><td>VEHICLE MODEL</td><td colspan="2">VEHICLE YEAR</td></tr><tr><td colspan="2"> </td><td> </td><td colspan="2"> </td></tr></table> Distinguishing Features (tattoos, scars, locations frequented, etc.): Please describe: _____ _____ _____ _____ _____ _____ Does Defendant wear glasses? <input type="checkbox"/> Yes <input type="checkbox"/> No Does Defendant own or possess any weapons? <input type="checkbox"/> Yes <input type="checkbox"/> No If so, what kind(s)? _____ _____ _____ _____	SEX	RACE	DOB	HT	WT						HAIR	EYES	SOCIAL SECURITY NUMBER								DRIVERS LICENSE #		DL STATE	DL EXP. DATE							VEHICLE MAKE		VEHICLE MODEL	VEHICLE YEAR						
SEX	RACE	DOB	HT	WT																																					
HAIR	EYES	SOCIAL SECURITY NUMBER																																							
DRIVERS LICENSE #		DL STATE	DL EXP. DATE																																						
VEHICLE MAKE		VEHICLE MODEL	VEHICLE YEAR																																						
Protected Person's Name: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> Relationship to Defendant: <input type="checkbox"/> are or <input type="checkbox"/> have been in a dating relationship <input type="checkbox"/> reside together or <input type="checkbox"/> formerly resided together <input type="checkbox"/> have a child in common	Protected Person's Identifiers: Full Date of Birth (mm/dd/yyyy) <div style="border: 1px solid black; width: 150px; height: 20px; display: inline-block; vertical-align: middle;"></div> <i>(It is important to include the protected person's full date of birth)</i> Sex: <input type="checkbox"/> Female <input type="checkbox"/> Male Race _____																																								

SERVICE COVER SHEET AND NCIC INFORMATION FORM

Other Protected Persons Information

Protected Person's Name: <div></div> Relationship to Defendant: <input type="checkbox"/> are or <input type="checkbox"/> have been in a dating relationship <input type="checkbox"/> reside together or <input type="checkbox"/> formerly resided together <input type="checkbox"/> have a child in common	Protected Person's Identifiers: Full Date of Birth (mm/dd/yyyy) <div></div> <i>(It is important to include the protected person's full date of birth)</i> Sex: <input type="checkbox"/> Female <input type="checkbox"/> Male Race _____
Protected Person's Name: <div></div> Relationship to Defendant: <input type="checkbox"/> are or <input type="checkbox"/> have been in a dating relationship <input type="checkbox"/> reside together or <input type="checkbox"/> formerly resided together <input type="checkbox"/> have a child in common	Protected Person's Identifiers: Full Date of Birth (mm/dd/yyyy) <div></div> <i>(It is important to include the protected person's full date of birth)</i> Sex: <input type="checkbox"/> Female <input type="checkbox"/> Male Race _____
Protected Person's Name: <div></div> Relationship to Defendant: <input type="checkbox"/> are or <input type="checkbox"/> have been in a dating relationship <input type="checkbox"/> reside together or <input type="checkbox"/> formerly resided together <input type="checkbox"/> have a child in common	Protected Person's Identifiers: Full Date of Birth (mm/dd/yyyy) <div></div> <i>(It is important to include the protected person's full date of birth)</i> Sex: <input type="checkbox"/> Female <input type="checkbox"/> Male Race _____
Protected Person's Name: <div></div> Relationship to Defendant: <input type="checkbox"/> are or <input type="checkbox"/> have been in a dating relationship <input type="checkbox"/> reside together or <input type="checkbox"/> formerly resided together <input type="checkbox"/> have a child in common	Protected Person's Identifiers: Full Date of Birth (mm/dd/yyyy) <div></div> <i>(It is important to include the protected person's full date of birth)</i> Sex: <input type="checkbox"/> Female <input type="checkbox"/> Male Race _____
Protected Person's Name: <div></div> Relationship to Defendant: <input type="checkbox"/> are or <input type="checkbox"/> have been in a dating relationship <input type="checkbox"/> reside together or <input type="checkbox"/> formerly resided together <input type="checkbox"/> have a child in common	Protected Person's Identifiers: Full Date of Birth (mm/dd/yyyy) <div></div> <i>(It is important to include the protected person's full date of birth)</i> Sex: <input type="checkbox"/> Female <input type="checkbox"/> Male Race _____

IN THE DISTRICT COURT OF SEDGWICK COUNTY, KANSAS

Plaintiff

Case No. _____

vs.

Defendant

Petition Pursuant to K.S.A. Chapter 60

PETITION FOR PROTECTION FROM ABUSE ORDER

(K.S.A. 60-3101 *et seq.*)

1. Plaintiff seeks an order for protection from abuse:
(*check and fill out either a, b, or c*)

a. ☐ **For Plaintiff Only**

(*Kansas law requires a former or current relationship which may be established by any one of the following options.*)

Plaintiff and Defendant:

- ☐ are in a dating relationship
- ☐ were formerly in a dating relationship
- ☐ reside together in the same residence
- ☐ formerly resided together in the same residence
- ☐ have a child in common

OR

b. ☐ **For Plaintiff and minor child(ren)**

Plaintiff is:

- ☐ the parent of the child(ren)
- ☐ an adult who resides with the child(ren)
- ☐ the child(ren)'s court appointed legal custodian
- ☐ the child(ren)'s court-appointed legal guardian.

(*Kansas law requires a former or current relationship which may be established by any one of the following options.*)

Plaintiff and Defendant:

- ☐ are in a dating relationship
- ☐ were formerly in a dating relationship
- ☐ reside together in the same residence
- ☐ formerly resided together in the same residence
- ☐ have a child in common

The minor child(ren) and Defendant:

- ☐ reside together in the same residence
- ☐ formerly resided together in the same residence

Plaintiff asks for protection for the following minor child(ren):

(give full names and year of birth)

NAME	YOB	PARENT'S NAME	PARENT'S NAME

OR

c. ☐ Only for the minor child(ren)

Plaintiff is:

- ☐ the parent of the child(ren)
- ☐ an adult who resides with the child(ren)
- ☐ the child(ren)'s court appointed legal custodian
- ☐ the child(ren)'s court-appointed legal guardian.

(Kansas law requires a former or current relationship which may be established by any one of the following options.)

Minor child(ren) and Defendant:

- ☐ are in a dating relationship
- ☐ were formerly in a dating relationship
- ☐ reside together in the same residence
- ☐ formerly resided together in the same residence
- ☐ have a child in common

Plaintiff asks for protection for the following minor child(ren):

(give full names and year of birth)

NAME	YOB	PARENT'S NAME	PARENT'S NAME
------	-----	---------------	---------------

_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

2. Defendant can be served at: *(please provide all available addresses)*

HOME: street _____ city _____
state _____ zip code _____ phone number _____
times when defendant is usually there _____

WORK: street _____ city _____
state _____ zip code _____ phone number _____
times when defendant is usually there _____

OTHER: street _____ city _____
state _____ zip code _____ phone number _____
times when defendant is usually there _____

3. If the defendant is a minor, a Minor Defendant Addendum is attached.
4. Plaintiff needs a protection from abuse because Defendant: *(check all that apply)*

- ☐ caused Plaintiff bodily injury or attempted to cause Plaintiff bodily injury
- ☐ placed Plaintiff in fear of imminent bodily injury by threatening Plaintiff
- ☐ caused the minor child(ren) bodily injury or attempted to cause the minor child(ren) bodily injury
- ☐ placed the minor child(ren) in fear of imminent bodily injury
- ☐ engaged in any sexual contact or attempted sexual contact with the Plaintiff without consent or when the Plaintiff was incapable of giving consent.

☐ engaged in any sexual contact or attempted sexual contact with the minor child(ren) without consent or when the minor child(ren) was incapable of giving consent.

☐ engaged in any of the following acts with a minor under 16 years of age who is not the spouse of Defendant: sexual intercourse or lewd fondling or touching on the person of either the minor or Defendant.

5. a. Describe why you are asking for a protection from abuse order and include specific facts or other instances where you experienced violence by Defendant or were afraid of injury or harm by Defendant, or where Defendant threatened to harm or kill you:

(Attach more pages as needed.)

- b. Describe any past incidents where you experienced violence by Defendant, where you were afraid of injury or harm by Defendant, or where Defendant threatened to harm or kill you:

(Attach more pages as needed.)

c. Have any criminal charges ever been filed based on the incidents described above (in 5a or 5b)? If yes, give name of county where case was filed and case number, if known.

6. Plaintiff requests that Plaintiff's ☐ **address and/or** ☐ **telephone number** remain confidential for the following reason(s): *(complete if applicable)*

(If Plaintiff requests that Plaintiff's address remain confidential, Plaintiff must complete the Protection from Abuse Confidential Address Form and include it with this petition.)

7. Plaintiff requests that the court issue an ex parte Temporary Order of Protection and Final Order of Protection restraining defendant from:

- ☐ abusing, molesting or interfering with the privacy or rights of the protected person(s)
- ☐ entering or coming on or around the premises or the residence of the protected person(s).

DO NOT WRITE AN ADDRESS BELOW IF YOU WANT THE ADDRESS TO BE CONFIDENTIAL. THIS DOCUMENT WILL BE GIVEN TO THE DEFENDANT.

Protected person's premises or residence:

_____.

Protected person's workplace: _____.

8. Plaintiff states the residence is:

- ☐ jointly owned or rented and jointly occupied by Plaintiff and Defendant
- ☐ owned or rented by Plaintiff
- ☐ owned or rented by Defendant only
- ☐ owned or rented by someone else (*explain*)

☐ not applicable because Plaintiff and Defendant do not live together.

☐ Plaintiff requests the court order that the defendant immediately move from and not return to the residence, and that law enforcement officers be directed to remove Defendant from the residence, located at: _____

9. Plaintiff requests that the court issue an ex parte order of temporary custody of the minor child(ren) and has attached a completed UCCJEA form.

a. ☐ Defendant's parentage of the following child(ren) has NOT been established and Defendant has no right to custody or parenting time with the following child(ren):

b. ☐ Defendant's parentage of the following child(ren) has been established and the Plaintiff requests the following custody and parenting time orders concerning the following child(ren):

Plaintiff requests the following orders:

i. Temporary legal custody (*decision-making*) and residency of the minor child(ren) be:

☐ Joint legal custody (*decision-making*) between Plaintiff and Defendant until this order expires.

OR

☐ Sole legal custody (*decision-making*) granted to
☐ **Plaintiff** ☐ **Defendant** until this order expires.

ii. Rights of temporary parenting time as follows:

☐ Defendant shall have no parenting time.

OR

☐ Defendant shall have supervised parenting time as follows:

OR

☐ Plaintiff and Defendant shall have parenting time as described in the attached parenting plan.

iii. ☐ Plaintiff and Defendant shall exchange the minor child(ren) for parenting time at:

10. The court should give copies of orders to the appropriate law enforcement agencies; set a date, time and hearing on this matter; and issue summons to Defendant notifying Defendant of this action and the relief requested.

11. After a hearing, the court should issue a Final Order of Protection from Abuse prohibiting Defendant from committing any acts of abuse against the protected person(s), and order the following additional relief: (*check all that apply*)

☐ suitable alternate housing for Plaintiff and minor child(ren)

☐ custody of the minor child(ren) (*UCCJEA form completed*)

☐ child support

☐ support of spouse

☐ possession of personal property, including pets, and the assistance of law enforcement officers in securing that property, if necessary

- ☐ attorney's fees, if represented by counsel, and costs
- ☐ counseling for Defendant
- ☐ the transfer of the rights to and billing responsibility for the wireless telephone number of ☐ **Plaintiff and/or** ☐ **minor child(ren)** in the care of Plaintiff
- ☐ other, please specify: _____
- ☐ _____
- ☐ _____

12. a. List any current or past divorce or legal separation court cases between Plaintiff and Defendant.

_____	_____	_____
County, State	Case number	Date filed, if known
_____	_____	_____
County, State	Case number	Date filed, if known

b. List any current or past protection order, restraining order, or no-contact orders between Plaintiff and Defendant.

_____	_____	_____
County, State	Case number	Date filed, if known
_____	_____	_____
County, State	Case number	Date filed, if known
_____	_____	_____
County, State	Case number	Date filed, if known

VERIFICATION

I verify under penalty of perjury under the laws of the state of Kansas that the foregoing is true and correct. Executed on _____, 20____.

Plaintiff's Signature

Plaintiff's Name: _____

Address 1: _____

Address 2: _____

City, State, Zip: _____

Telephone Number: _____

Email: _____

(DO NOT include the residential address or telephone number if Plaintiff is requesting that Plaintiff's residential address and telephone number are to remain confidential. If Plaintiff requests that Plaintiff's address and telephone number remain confidential, Plaintiff must complete the Protection from Abuse Confidential Address Form and include it with this petition.)

Attorney representing Plaintiff (if any)

Attorney's Name: _____

Address 1: _____

Address 2: _____

City, State, Zip: _____

Telephone: _____

Email: _____

IN THE DISTRICT COURT OF KANSAS COUNTY, KANSAS
Protection from Abuse (K.S.A. 60-3101 *et seq.*)

Temporary Order of Protection from Abuse

Judge or Division: Plaintiff: <div style="border: 1px solid black; height: 20px; width: 250px; margin: 5px 0;"></div> Relationship to Defendant: <input type="checkbox"/> are or <input type="checkbox"/> have been in a dating relationship <input type="checkbox"/> reside together <input type="checkbox"/> formerly resided together <input type="checkbox"/> have a child in common <input type="checkbox"/> Plaintiff is filing on behalf of a minor child vs.	Case Number: <hr/> Court ORI Number: <hr/> Plaintiff Identifiers: Year of Birth <div style="border: 1px solid black; width: 150px; height: 20px; display: inline-block;"></div> Sex: _____																														
Defendant: <div style="border: 1px solid black; height: 20px; width: 250px; margin: 5px 0;"></div> Address _____ _____ _____	Defendant Identifiers: <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"><tr><td style="width: 20%;">SEX</td><td style="width: 20%;">RACE</td><td style="width: 20%;">YOB</td><td style="width: 20%;">HT</td><td style="width: 20%;">WT</td></tr><tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr><tr><td>HAIR</td><td>EYES</td><td colspan="3">LAST 4 DIGITS OF SSN (IF KNOWN)</td></tr><tr><td> </td><td> </td><td colspan="3"> </td></tr><tr><td colspan="2">DRIVERS LICENSE #</td><td>DL STATE</td><td colspan="2">DL EXP. DATE</td></tr><tr><td colspan="2"> </td><td> </td><td colspan="2"> </td></tr></table>	SEX	RACE	YOB	HT	WT						HAIR	EYES	LAST 4 DIGITS OF SSN (IF KNOWN)								DRIVERS LICENSE #		DL STATE	DL EXP. DATE						
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Protected Person(s): <i>(Only the party, or parties, initialed by the judge are Protected Person(s).)</i> _____ Plaintiff, _____ <i>(name of plaintiff)</i> _____ The following child(ren): <table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th style="width: 65%;">Child's Name</th><th style="width: 15%;">Sex</th><th style="width: 20%;">Child's Year of Birth</th></tr></thead><tbody><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></tbody></table> <p style="text-align: center;">This order and its terms are directed at and apply to Defendant only.</p>		Child's Name	Sex	Child's Year of Birth																											
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**THIS TEMPORARY ORDER SHALL REMAIN IN EFFECT UNTIL
SERVICE OF THE FINAL ORDER OR UNTIL TERMINATED BY ORDER
OF THE COURT.**

ONLY THE COURT CAN CHANGE THIS ORDER.

The Court Finds: *(Only the provision(s) initialed by the judge apply.)*

_____ Plaintiff filed a written verified petition on _____, 20____ requesting a Temporary Order of Protection from Abuse.

_____ Plaintiff has shown the statutorily required relationship between Plaintiff and minor child(ren).

_____ This court has jurisdiction over Plaintiff, Defendant and subject matter.

_____ This court has child custody jurisdiction because ☐ it is home state, ☐ there is no home state and Kansas has significant connections with the child(ren), ☐ temporary emergency jurisdiction, ☐ other: _____

_____ Plaintiff has established good cause for the court to issue a temporary order of protection from abuse.

_____ A hearing has been set for _____, 20____, at ____:____ ☐ a.m. ☐ p.m., at _____ (Court) and summons has been issued.

_____ Plaintiff's ☐ address and ☐ telephone number shall remain confidential for the protection of the Protected Person(s).

Order

The Court Orders:

- Defendant shall not abuse, molest, or interfere with the privacy or rights of the Protected Person(s) wherever they may be. This includes, but is not limited to, utilizing any electronic tracking system or acquiring tracking information to determine the Protected Person's location, movement, or travel patterns. [NCIC 01 & 02]
- Defendant shall not use, attempt to use, or threaten to use physical force, that would reasonably be expected to cause bodily injury, against the Protected Person(s). [NCIC 01 & 02]
- Defendant shall not contact the Protected Person(s), either directly or indirectly, including in person, by phone, text or email message, any social media, or in any other way or manner, except as authorized by the court in Paragraph 3(b) of this order. [NCIC 04 & 05]

- Defendant shall not direct or request another to contact the Protected Person(s), either directly or indirectly, including in person, by phone, text or email message, any social media, or in any other way or manner, except as authorized by the court in Paragraph 3(b) of this order. [NCIC 04 & 05]
- Defendant shall not enter or come on or around the premises, the residence or workplace where the Protected Person(s) resides, stays or works. [NCIC 04]
- Law enforcement officers are directed to grant any assistance necessary to protect the Protected Person(s) from abuse by Defendant, and to provide any other assistance necessary to enforce these orders, including the order excluding Defendant from the Protected Person(s) place of residence, wherever it may be. [NCIC 08]

CERTIFICATE OF COMPLIANCE WITH THE VIOLENCE AGAINST WOMEN ACT (VAWA): This Order meets all the requirements of the Violence Against Women Act, 18 U.S.C. § 2265. This Court has jurisdiction of the parties and the subject matter; Defendant has been afforded notice and a timely opportunity to be heard as provided by the laws of Kansas. This Order is enforceable in all 50 states, the District of Columbia, all Indian tribal courts and all United States territories and shall be enforced as if it were an order of that jurisdiction pursuant to 18 U.S.C. § 2265.

Additional terms of this order are set forth below. (Only the provision(s) initialed by the judge apply.)

Housing and Property:

_____ 1. Plaintiff is granted exclusive possession of the residence located at: _____ . [NCIC 03]

If the plaintiff is granted exclusive possession of the residence, Defendant shall immediately move from the residence and may take only personal clothing and effects until further order of the court. Law enforcement officials are directed to remove Defendant from the residence, and to ensure that Defendant does not enter or re-enter the premises or any other residence the plaintiff may occupy.

_____ 2. Defendant shall not cancel utilities to the residence. The terms of this paragraph expire 60 days from this order's date of entry. [NCIC 08]

Parentage and Custody:

3. For this paragraph, the court shall initial subparagraph (a) **OR** subparagraph (b), but not both.

_____ a. Defendant's parentage of the child(ren) **has not** been established through a marriage of the parties or pursuant to the Kansas Parentage Act, K.S.A. 23-2201 *et seq.*, and Defendant has no right to custody or parenting time with the following named child(ren):

[NCIC 09]

OR

_____ b. Defendant's parentage of the child(ren) **has been** established through the marriage of the parties or pursuant to the Kansas Parentage Act, K.S.A. 23-2201 *et seq.*, and the following custody and parenting time orders are entered:

i. Temporary legal custody and residency of the following named minor child(ren):

_____ shall be:

☐ Joint legal custody between the plaintiff and defendant until this order expires; [**NCIC 06**]

OR

☐ Sole legal custody granted to ☐ Plaintiff [**NCIC 09**] ☐ Defendant [**NCIC 06**] until this order expires.

☐ The parent who does not have sole legal custody shall not have access to information regarding the child(ren) because:

(K.S.A. 23-3206)

ii. Rights of temporary parenting time shall be as follows:

☐ Defendant shall have no parenting time; [**NCIC 09**]

☐ Defendant shall have supervised parenting time as follows:

_____;

[**NCIC 06 & 08**]

☐ Plaintiff and Defendant shall have parenting time as follows:

[**NCIC 06 & 08**]

iii. ☐ Plaintiff and Defendant shall exchange the minor child(ren) for parenting time at:

[**NCIC 08**]

_____ 4. Law Enforcement shall assist Plaintiff in obtaining physical custody of the minor child(ren).

SO ORDERED:

Date

Judge of the District Court

WARNINGS TO DEFENDANT

- This order is effective when signed by the judge. Law enforcement officials shall immediately enforce this order.
 - Violation of this order may constitute: violation of a protective order as provided in K.S.A. 21-5924, and amendments thereto; assault as provided in K.S.A. 21-5412(a), and amendments thereto; battery as provided in K.S.A. 21-5413(a), and amendments thereto; and domestic battery as provided in K.S.A. 21-5414, and amendments thereto, and may result in prosecution and conviction under Kansas criminal statutes.
 - If possession of the residence is granted to the plaintiff, violation of this order by Defendant constitutes criminal trespass pursuant to K.S.A. 21-5808(a)(1)(C), and amendments thereto, and may result in prosecution and conviction under Kansas criminal statutes.
 - Violation of this order may also be punishable as contempt of this court.
 - If Defendant has a concealed carry license, that license is subject to revocation pursuant to K.S.A. 75-7c07, and amendments thereto. After a defendant's concealed carry license has been revoked, continuing to carry a concealed weapon may constitute a violation of K.S.A. 21-6302, and amendments thereto.
- Violation of this order may subject Defendant to prosecution for such federal crimes, including but not limited to: Interstate travel to commit domestic violence; Interstate stalking; and Interstate violation of a protection order.

Notice of Extension of this Temporary Order

(Pursuant to K.S.A. 60-3106)

If a hearing on the petition for protection is continued, the court may extend this Temporary Order of Protection from Abuse for additional periods of time as it deems necessary.

Notice of Default

(Pursuant to K.S.A. 60-255)

If you fail to appear at the hearing, a default order may be entered against you and this Temporary Order of Protection from Abuse may turn into a Final Protection from Abuse without further notice to you.