

## Your Roadmap to



# Pro Se Protection from Abuse or Protection from Stalking, Sexual Assault or Human Trafficking Cases in SEDGWICK COUNTY, KANSAS

## Step 1: Filing



## Step 2: Service

## Step 3: Hearing



## Step 4: Final Order

## Step 1: Filing



All Protection from Abuse or Protection from Stalking, Sexual Assault or Human Trafficking cases start at the Clerk of the District Court's office by filing:

- Civil Information Sheet
- Petition
- Summons
- Temporary Order
- NCIC Sheet
- Self-Represented Litigant Form

New cases can be initiated utilizing the portal at [www.kspop.org](http://www.kspop.org) and can be submitted to the Court 24 hours a day, 7 days a week (This is the preferred method for the Court.)

If you do not have access to the internet there are paper packets available inside the Sedgwick County District Court, located at 525 N Main, on the 1<sup>st</sup> floor at the front desk near security. Paperwork is available during normal business hours: Monday through Friday from 8:00 a.m. to 5:00 p.m., excluding government holidays. There is also a drop box located on the 1<sup>st</sup> floor at the front desk where paper packets can be dropped off.

If you need assistance utilizing the portal or filling out a paper packet, you may reach out to the liaisons office at (316) 660-5290 during normal business hours.

A liaison located at the Sedgwick County District Court will pick up any paper packet from the drop box. They review paper packets and cases submitted through the portal before submitting to the Judge for review.

A Judge will review the paperwork and may sign the Temporary Order or deny the Temporary Order. If the Temporary Order is denied, the Petition may still be filed and a hearing date set. Or, Judge may deny the Temporary Order and dismiss the case. Afterward, the paperwork goes to the Clerks office for processing.

## Step 2: Service



Once the case has been filed with the Clerk, it will be assigned a case number and a hearing date for both parties to appear. Once the case is processed, as the filer you will receive an encrypted e-mail from Barracuda. You will also receive a copy of the paperwork through the mail, along with a servable packet. Please allow 3 to 4 business days to receive your information.

The Clerk will prepare a packet to be served on the defendant, which will then be given to the service officer.

**The defendant must be Personally Served** by one of the approved methods:

- Sheriff
- Process Server

The Clerk will provide the service packet to the County Sheriff for the address provided by the Plaintiff (the filer).

A process server is an individual selected by the Plaintiff at his or her own cost; the Court is not involved with the selection or the payment for this service.

**\*A Return of Personal Service must be filed in the Clerk's office prior to the assigned court date.\***

If the court has not received a Return of Service showing personal service has been obtained on the defendant before the assigned court date and time, an Alias Summons will need prepared by the Plaintiff at the time of the court hearing. The Clerk will prepare another service packet with a new court date to provide the service officer to try again to obtain service.

If the Sheriff or Process Server personally serves the Defendant, the Defendant should appear for Court. Failure to appear may result in default judgment against the Defendant.

## Step 3: Hearing



The Clerk sets a hearing date no later than 21 days from the filing of the Petition. These hearings are set every Thursday. Protection from Stalking cases are set in the morning and Protection from Abuse cases are set in the afternoon.

At the time of the hearing, the Plaintiff and the Defendant will be in the same room. Plaintiffs sit on the right side of the room and Defendants sit on the left side of the room.

No one under the age of 18 is allowed in the courtroom. If the case was filed on behalf of or against a minor, a responsible adult will need to remain with the minor outside of the courtroom until they are needed for their hearing.

Only the Plaintiff and the Defendant are allowed in the room. If you have witnesses, they will remain outside of the courtroom until your hearing and if the Judge needs to hear their testimony, witnesses may be allowed in at that time.

The Clerk will call the docket at the designated time. **Please be on time for your court date.** When your name is called, please respond loud and clear so your attendance may be recorded.

A number of announcements will be made during this docket call:

- Alias
- Default
- Dismissed
- Continued
- Conference with Judge
- Hearing

Please listen carefully how your case is announced.

**Alias** - Court does not have proof on file of personal service upon the Defendant. An Alias Summons will need prepared. The Clerk will hand you paperwork to fill out. Wait for your paperwork before leaving.

**Default** - Defendant was served and failed to appear; Plaintiff is awarded a final order. Please wait while your order is prepared.

**Dismissed** - Plaintiff failed to appear and Defendant is present; case against Defendant is dismissed. Please wait while your paperwork is prepared. If neither party appears, the case will be dismissed for non-appearance of either party.

**Continued** - The Plaintiff or the Defendant may request a continuance. The Court makes every effort to contact the parties prior to the court date if a continuance has been granted to avoid an unnecessary trip to the court.

**Conference** - Extenuating circumstance requires the Judge to confer with a party on the case.

**Hearing** - Your case will go before a Judge to hear testimony and determine the outcome.

You are expected to come to court prepared and ready to present your case. You should conduct yourself in a respectful manner throughout the court proceedings.

For Protection from Abuse cases heard in the afternoon, attorneys from Kansas Legal Services are available in the courtroom to offer assistance to the Plaintiff during the hearing along with the preparation of any necessary paperwork. Someone from Kansas Legal Services office will call your name after the docket is called to meet with you before your hearing.

After Judge hears testimony in the case, Judge will make a ruling. Please have a seat and wait for paperwork from the clerk.

## Step 4: Final Order



If the Plaintiff wins the case, a final order will be prepared. This order is typically good for one year. Keep this order somewhere safe.

**Keep this Order with you at all times.**

## Glossary of Terms:

**Pro Se** – A party to a lawsuit who represents him or herself

**Plaintiff/Petitioner** – the one who files the case

**Defendant/Respondent** – the one who has a case filed against them

**Petition** – The document that sets out the cause of action by the Plaintiff against the Defendant

**Temporary Order** – An order of protection that is temporary, generally issued when a case is first filed, waiting for the hearing and waiting on a ruling from the Judge in your case

**Summons** – A document that notifies a Defendant that a lawsuit has been filed against them

**Alias Summons** – When Personal Service has not been obtained upon the Defendant and another summons needs issued in the case

**Process Server** – Person legally authorized by the Courts or the Sheriff to serve legal papers.

**Continuance** – a rescheduling of a hearing date

**Default** – failure to appear by the Defendant at the required time in a legal proceeding

**Dismissal** – failure to appear by the Plaintiff, or failure to appear by both parties, at the required time in a legal proceeding

**Final Order** – Judge has heard the case and made a ruling; Defendant consents to the order or Defendant fails to appear and Plaintiff wins by default; Final Order of Protection typically expires after one year

Forms and additional information can be found at the  
18<sup>th</sup> Judicial District's Website  
[www.dc18.org/protection](http://www.dc18.org/protection)