

GENERAL INSTRUCTIONS FOR THOSE ASKING FOR
A PROTECTION FROM STALKING, SEXUAL ASSAULT, OR
HUMAN TRAFFICKING ORDER

NOTICE

The protection from stalking, sexual assault, or human trafficking 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 stalking, sexual assault, or human trafficking at

www.kcsdv.org and

www.kansaslegalservices.org/node/2036/pfa-tips-tricks-part-1-preparing-your-pfapfs.

1. You may ask for a protection from stalking, sexual assault, or human trafficking order:
 - a. For yourself;
 - b. For your minor child;
 - c. For a minor child who resides with you;.
 - d. For a minor child for whom you are the child's court-appointed legal custodian or legal guardian.

You may ask a county or district attorney or the attorney general to file for a protection order for a child who is a human trafficking victim.

2. Stalking, sexual assault, or human trafficking must have occurred against each person for whom protection is sought.

“Stalking” is an intentional harassment of another person that places the other person in reasonable fear for that person's safety.

“Sexual assault” is (1) a nonconsensual sexual act; or (2) an attempted sexual act against another by force, threat of force, duress or when the person is incapable of giving consent.

“Harassment” is a knowing and intentional course of conduct directed at a specific person that seriously alarms, annoys, torments or terrorizes the person and that serves no legitimate purpose.

“Course of conduct” is conduct consisting of two or more separate acts over a period of time, however short, that show a continuity of purpose which would cause a reasonable person to suffer substantial emotional distress.

“Human trafficking” is any act that would constitute human trafficking or aggravated human trafficking, as defined by K.S.A. 21-5426, or commercial sexual exploitation of a child, as defined by K.S.A. 21-6422, or an act that, if committed by an adult, would constitute selling sexual relations, as defined by K.S.A. 21-6419.

“Human trafficking victim” is a person who has been subject to an act that would constitute human trafficking or aggravated human trafficking, as defined by K.S.A. 21-5426, or commercial sexual exploitation of a child, as defined by K.S.A. 21-6422, or has committed an act that, if committed by an adult, would constitute selling sexual relations, as defined by K.S.A. 21-6419.

3. You may file a **Petition for Protection from Stalking, Sexual Assault, or Human Trafficking Order** in any district court. In addition, you must complete the **Protection from Stalking, Sexual Assault, or Human Trafficking Confidential Information Form** and the **Self-Represented Litigant Certification Form** and include it with your petition.

NOTE: Your address and phone number are confidential, but your email address is not. The court and other parties may use your email address to communicate with you about this case. You may want to create a new email address to use only for emails about this case.

4. The defendant must be notified by personal service that you have filed a **Petition for a Protection from Stalking, Sexual Assault, or Human Trafficking 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.

5. If the defendant is a minor, you must complete the **Minor Defendant Addendum**. Petitions, motions and temporary protection from stalking, sexual assault, or human trafficking 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.

6. 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.
7. Your final protection order will expire after one year or on the date stated in the order unless you ask for an extension from the court before the order expires.

Extension for One Year

To ask for an extension, you can use the form titled “**Motion to Extend Final Protection from Stalking, Sexual Assault, or Human Trafficking 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 two 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 two years or longer. You can use the form titled “**Motion to Extend Final Protection from Stalking, Sexual Assault, or Human Trafficking Order for Two Additional Years or Up to Life.**” The motion asking to extend an order for two years 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.

8. *Wireless Telephone Number(s)*

You may ask the court to transfer the rights to and the billing responsibility from the defendant to you for the wireless telephone numbers used by you and/or the children in your care. 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>
--	---	---

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 STALKING, SEXUAL ASSAULT, OR HUMAN TRAFFICKING
CONFIDENTIAL INFORMATION FORM

(K.S.A. 60-31a04(e))

NOTE: THIS FORM WILL BE SHOWN ONLY TO AUTHORIZED COURT OR LAW ENFORCEMENT PERSONNEL. THIS FORM 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 OR EMAIL.

Name of Plaintiff: _____

Confidential Address:

Street _____

City _____ State _____ Zip Code _____

Phone Number _____

(give a phone number that is not controlled or accessible by the defendant)

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: 350px; 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%;"><tr><td>SEX</td><td>RACE</td><td>DOB</td><td>HT</td><td>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: 320px; 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; display: inline-block; width: 150px; height: 20px; 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

vs.

Case No. _____

Defendant

Petition Pursuant to K.S.A. Chapter 60

**PETITION FOR PROTECTION FROM STALKING, SEXUAL ASSAULT,
OR HUMAN TRAFFICKING ORDER**
(K.S.A. 60-31a01 *et seq.*)

1. Plaintiff seeks an order for protection from stalking, sexual assault, or human trafficking for:

a. ☐ myself;

OR

b. ☐ a minor child (under age 18)

Plaintiff is:

- ☐ the parent of the child
- ☐ an adult who resides with the child
- ☐ the child's court-appointed legal custodian
- ☐ the child's court-appointed legal guardian
- ☐ a county or district attorney, filing on behalf of a minor victim of human trafficking
- ☐ the Kansas attorney general, filing on behalf of a minor victim of human trafficking

The minor child's name and year of birth are:

Minor Child's Name: _____

Year of Birth: _____

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 _____

4. If Defendant is a minor, a Minor Defendant Addendum is attached.
5. List any current or past protection orders, restraining orders, 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

6. *Select and complete either section A, B, or C. Attach more pages as needed.*

☐ **A.** Describe the incidents of stalking. Include specific facts, dates and locations:

Incident #1: _____

Incident #2: _____

Additional Incident(s), if any:

Have any criminal charges ever been filed based on the incidents described? If yes, give name of county where case was filed and case number, if known.

OR

☐ **B.** Describe the incident of sexual assault. Include specific facts, dates and locations:

Have any criminal charges ever been filed based on the incidents described? If yes, give name of county where case was filed and case number, if known.

OR

- ☐ C. Describe the incident of human trafficking. Include specific facts, dates, and locations:

Have any criminal charges ever been filed based on the incidents described? If yes, give name of county where case was filed and case number, if known.

7. Plaintiff needs a protection from stalking, sexual assault, or human trafficking order because: _____

8. 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.
- ☐ following, harassing, telephoning, contacting or otherwise communicating with the protected person.
- ☐ committing or attempting to commit a sexual assault upon the protected person.
- ☐ following, harassing, telephoning, contacting, recruiting, harboring, transporting, or committing or attempting to commit human trafficking upon the protected person.
- ☐ entering or coming around the residence or area of the protected person.
- ☐ other: _____
- ☐ other: _____

9. *(Check box if you are asking for the transfer of wireless telephone numbers. Leave box blank if you are not asking for the transfer of wireless telephone numbers.)*

☐ Plaintiff asks the court to order the transfer of rights to and billing responsibility for the wireless telephone number of
☐ **Plaintiff and/or** ☐ **minor child(ren)** in the care of Plaintiff.

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 Stalking, Sexual Assault, or Human Trafficking prohibiting Defendant from committing any acts of stalking, sexual assault, or human trafficking against the protected person; order Defendant to pay court costs and attorney fees if appropriate; and order any other relief necessary for the safety of the protected person including:

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: _____

Plaintiff's Email Address:

(WARNING: This email address may be used by the court and other parties to communicate with you about this case.)

(DO NOT include the residential address of Plaintiff in this petition. Plaintiff must complete the Protection from Stalking, Sexual Assault, or Human Trafficking Confidential Information 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 SEDGWICK COUNTY, KANSAS
Protection from Stalking, Sexual Assault, or Human Trafficking (K.S.A. 60-31a01 *et seq.*)

Temporary Order of Protection from Stalking, Sexual Assault, or Human Trafficking

Judge or Division:	Case Number: Court ORI Number:																														
Plaintiff: <div style="border: 1px solid black; height: 20px; width: 250px; margin: 10px 0;"></div> vs.	Protected Person Identifiers: Name: _____ Year of Birth _____ Sex: _____																														
Defendant: <div style="border: 1px solid black; height: 20px; width: 250px; margin: 10px 0;"></div> Address _____ _____ _____	Defendant Identifiers: <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"><tr><td style="width: 15%;">SEX</td><td style="width: 15%;">RACE</td><td style="width: 15%;">YOB</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">LAST 4 DIGITS OF SSN (<i>IF KNOWN</i>)</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 (<i>IF KNOWN</i>)								DRIVERS LICENSE #		DL STATE	DL EXP. DATE						
SEX	RACE	YOB	HT	WT																											
HAIR	EYES	LAST 4 DIGITS OF SSN (<i>IF KNOWN</i>)																													
DRIVERS LICENSE #		DL STATE	DL EXP. DATE																												

Protected Person: _____ (name)

This order and its terms are directed at and apply to Defendant only.

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 Stalking, Sexual Assault, and Human Trafficking.

____ This Court has jurisdiction over Plaintiff, Defendant and subject matter.

____ Plaintiff has established a *prima facie* case of stalking, sexual assault, or human trafficking sufficient for the court to issue a temporary order of protection from stalking, sexual assault, or human trafficking.

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

Order

The Court Orders:

- Plaintiff's address and telephone number shall remain confidential for the protection of the Protected Person.
- Defendant shall not follow, harass, abuse, molest, assault, threaten, stalk, or interfere with the privacy rights of the Protected Person, and the Protected Person's family or household. 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 enter or come on or around the premises, the residence, the property, school, or place of employment of the Protected Person or other family or household member. [NCIC 04]
- Defendant shall not communicate either directly or indirectly, including in person, by phone, text or email message, any social media, or in any other way or manner, with the Protected Person, the Protected Person's employer, employees, fellow workers, or others with whom the communication would be likely to cause annoyance or alarm the Protected Person. [NCIC 05]
- Defendant shall not direct or request another to contact the Protected Person, either directly or indirectly, including in person, by phone, text or email message, any social media, or in any other way or manner. [NCIC 04 & 05]
- Defendant shall not commit or attempt to commit a nonconsensual sexual act against the Protected Person.
- Defendant shall not commit or attempt to commit a sexual act against the Protected Person by force, threat of force, duress, or when the Protected Person is incapable of giving consent.
- Defendant shall not follow, harass, telephone, contact, recruit, harbor, transport, or commit or attempt to commit human trafficking upon the Protected Person.

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, if any.

Other Provisions:

_____ 1. Other orders necessary to promote the safety of the Protected Person:

- ☐ _____
- ☐ _____
- ☐ _____

☐

☐

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 an offense under chapter 21 of the Kansas Statutes Annotated, including, but not limited to: violation of a protective order as provided in K.S.A. 21-5924, and amendments thereto; a sex offense under article 55 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto; stalking as provided in K.S.A. 21-5427, 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 criminal trespass as provided in 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. 60-31a05)

If a hearing on the petition for protection is continued, the court may extend this Temporary Order of Protection from Stalking, Sexual Assault, or Human Trafficking 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 Stalking, Sexual Assault, or Human Trafficking may turn into a Final Protection from Stalking, Sexual Assault, or Human Trafficking without further notice to you.