# 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. The Wyandotte County Victim Services Advocate is located on the 1<sup>st</sup> floor of the Wyandotte County Courthouse. You can reach them at (913) 573-5153 or (913) 573-5616. 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.

Rev. 07/21 Page 1 of 3

- 4. If you meet the requirements above, you may file a Petition for Protection from Abuse Order with the district court. You must completely fill out the Civil Information Sheet, SRL Certificate, Petition for Protection from Abuse and Temporary Order of Protection from Abuse to start your case. 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. You must notify the defendant by personal service that you have filed a Petition for a Protection from Abuse Order. To obtain personal service, you must fill out a Request for Service form, asking that the sheriff deliver the Petition for Protection from Abuse Order to the defendant.
- 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 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 a one-year extension, you can use the form titled "Motion to Extend Final Protection from Abuse Order for One Additional Year." 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 Abuse 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.

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.

Rev. 07/21 Page 2 of 3

#### 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.

Rev. 07/21 Page 3 of 3

### INSTRUCCIONES GENERALES PARA AQUELLOS QUE PIDEN UNA ORDEN DE PROTECCIÓN CONTRA EL ABUSO

#### AVISO

El proceso de protección contra el abuso está deseñado para brindar protección rápida e inmediata. Sin embargo, el proceso puede requerir tiempo, experiencia o más de una audiencia. Si tiene preguntas, debe pedir ayuda a un abogado o defensor de servicios para víctimas. La línea directa de Crisis de Kansas (1-888-363-2287) o los servicios Legales de Kansas (1-800-723-6953) pueden ayudarlo a encontrar un abogado. El defensor de Servicios de Víctimas del Condado de Wyandotte está ubicado en el primer piso de la corte del condado de Wyandotte. Puede comunicarse con ellos al (913) 573-5153 o (913) 573-5616.

Estas formas son básicas no cubren todas las situaciones. La secretaria del tribunal de Distrito no puede ayudarlo con estas formas. La secretaria no puede brindarle asesoramiento legal ni infórmale sobre sus derechos o responsabilidades. La secretaria solo puede proporcionar información muy limitada sobre el proceso de la orden de protección. Puede encontrar más información sobre la protección contra el abuso en www.kcsdv.org y

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

- 1. Puede solicitar una orden de protección contra abuso:
  - a. Para ti; o,
  - b. Para usted y un Niño (s) menor (es); o,
  - c. Solo para un niño (s) menor (es).

Puede presentar una petición en nombre de un menor si:

- a. Eres el padre del menor; o
- b. Es un adulto que vive con el menor; o
- c. Usted es el tutor legal o tutor designado por la corte del menor.
- 2. Cada persona para quien busca protección debe tener (o haber tenido) una relación de "pareja intima o miembro del hogar" con el acusado.

Relación de "pareja íntima o miembro del hogar" significa:

- a. Personas que están en una relación de noviazgo (una relación social de social de naturaleza romántica); o,
- b. Personas que han estado en una relación amorosa; o,
- c. Personas que viven juntos; o,
- d. Personas que han vivido juntas; o,
- e. Personas que tienen un hijo en común.
- 3. Todas las personas que necesitan protección deben haber sufrido abuso. Esto significa que debe haber ocurrido uno de los siguientes:
  - a. El demandado lastimo físicamente a usted o a un menor a propósito; o,
  - b. El demandado intento lastimarte fisicamente a ti o a un menor de edad; o,
  - c. El demandado amenazo con lastimarlo fisicamente a usted o a un menor de edad; o,
  - d. El demandado participo en cualquier contacto sexual o intento contacto sexual con usted o un menor de edad cuando dicha persona no pudo dar su consentimiento; o
  - e. El demandado participo en una conducta sexual (tocamientos o relaciones sexuales) con un menor de 16 años.

Rev. 07/21 Page 1 of 3

- 4. Si cumple con los requisitos anteriores, puede presentar una **Petición de Orden de Protección contra Abuso** ante el tribunal de Distrito. Debe completar la hoja de Información Civil, el certificado SRL, la Petición de Protección contra el Abuso y la Orden Temporal de Protección contra el Abuso para iniciar su caso. Si desea que su dirección y número de teléfono permanezcan confidenciales, debe completar la **Forma de Dirección Confidencial de Protección de Abuso** e incluirlo con su petición.
- 5. Debe notificar al demandado por servicio personal que ha presentado una **Petición de Orden de Protección de Abuso**. Para obtener servicio personal, debe completar la forma de Solicitud de Servicio, solicitando que el alguacil entregue la **Petición de Orden de Protección de Abuso** al demando.
- 6. Si el demando es un menor de edad, debe completar el **Anexo del Demando Menor**. Las peticiones, y ordenes temporales de protección de abuso presentadas contra un demandado menor deben notificar al menor y:
  - a. El tutor o curador del menor, si lo hubiera; o,
  - b. El padre o la madre del menor; o,
  - c. Una persona que tiene el cuidado o el control del menor o,
  - d. Persona con la que reside el menor.

Si no se puede entregar servicio a ninguna de estas personas, entonces se puede obtener el servicio según lo dispuesto por orden del juez.

- 7. Debe estar disponible para testificar en futuras audiencias según los establezca el juez. Si no se presenta, el caso puede ser desechado. Usted es quien solicita la orden de protección y debe convencer a su juez de lo que afirmo ser cierto. Puede traer otras pruebas y llamar testigos adicionales para respaldar su reclamo.
- 8. Su orden final de protección vencerá después de un año o en la fecha indicada en la orden, a menos que solicite una extensión a la corte antes de que expire la orden.

#### Extensión por un año

Para solicitar una extensión de un año, puede usar la forma titulada "Petición para Extender la Orden Final de Protección de Abuso por un Año Adicional." Debe presentar la petición ante la secretaria de la corte de Distrito y enviar por correo una copia de la petición al demando. Debe presentar su petición para extender la orden antes de que finalice su orden. Es buena idea presentar la petición al menos un mes antes de que finalice su orden porque este proceso puede demorar varias semanas

#### Extensión por dos o más años

Si el demandado ha violado una orden de protección o ha sido condenado por un delito grave contra usted o un miembro de su hogar, puede pedirle a la corte que extienda la orden de protección por dos años o más. Puede utilizar la forma titulada "Petición para Extender la Orden Final de Protección de Abuso durante dos años adicionales o de por vida." Debe presentar la petición ante la secretaria de la corte de Distrito y luego notificar personalmente al demando. El tribunal debe tener una audiencia en la que el demandado pueda comparecer, presentar pruebas e interrogar a los testigos. Debe presentar su petición para extender la orden antes de que finalice su orden. Es buena idea presentar la petición al menos un mes antes de que finalice su orden porque este proceso puede demorar varias semanas

Rev. 07/21 Page 2 of 3

9. Si usted es el demandado y desea solicitar una orden de protección de abuso contra el demandante, debe cumplir con todos los requisitos de los párrafos uno (1) al tres (3) anteriores, y luego puede presentar una contra demanda por escrito.

#### 10. Manutención de menores

Si decide pedirle a la corte que ordene o modifique la manutención de menores, se recomienda que obtenga el asesoramiento de un abogado. Para que el tribunal ordene o modifique la manutención de menores debe completar una **Declaración Jurada de Relaciones Domesticas** y la **Hoja de Manutención de Menores** y adjuntarlas a la **Petición de Protección de Abuso**. Si la corte concede la manutención, la corte completara el Anexo de Manutención de menores y lo adjuntara a la **Orden Final de Protección de Abuso**. Luego deberá completar la forma del Centro de Pago de Kansas, adjuntarlo a una copia de la **Orden Final de Protección de Abuso**, incluido el Anexo de Manutención de Menores, y proporcionárselo a la secretaria del Tribunal de Distrito.

#### 11. Número (s) de Teléfono Inalámbrico

Puede pedirle a la corte que le transfiera los derechos y la responsabilidad de facturación de los números de teléfono inalámbricos utilizados por usted y/o los niños bajo si cuidado del demandado a usted. Si la corte concede su solicitud, la corte completara una Orden de Transferencia de Números Telefónicos Inalámbricos. Debe enviar una copia certificada de la Orden de Transferencia de Números de Teléfono Móvil y la Información Confidencial para la Orden de Números de Teléfono Móvil al agente del proveedor de servicios inalámbricos para el servicio del proceso que figura con la secretaria de estado.

Rev. 07/21 Page 3 of 3

# IN THE DISTRICT COURT OF WYANDOTTE COUNTY, KANSAS CIVIL COURT DEPARTMENT

## ORDERS CONCERNING ZOOM PROCEEDINGS

NOW ON THIS 15<sup>th</sup> day of June, 2023 the Court enters orders concerning the conduct of Zoom proceedings in Division 10 of the 29<sup>th</sup> Judicial District. The Court orders as follows:

- 1. It is the responsibility of each self-represented litigant to ensure that their Zoom link is correct. It is the responsibility of each self-represented litigant to ensure that their device is properly working for the purpose of the hearing. The Court strongly suggests that the parties familiarize themselves with the Zoom platform before the Court hearing.
- 2. Once a hearing date is set, the parties must file witness and exhibit lists seven days before the hearing. These exhibits must be in digital format and pdf documents are preferred. These documents should be sent to <u>Tina.Rockey@kscourts.org</u>. Paper documents are not to be taken to the clerk's office or left in division 10.
- 3. Once a hearing date has been set, discovery will close 14 days before the hearing.
- 4. All litigants must follow the Kansas Rules of Civil Procedure in presenting evidence. If a party cannot present evidence in accordance with the rules of civil procedure, the court will not admit the proffered evidence into the record.

- 5. Self-represented litigants are considered lawyers in accordance with Kansas case law and the rules of the Kansas Supreme Court. The Court cannot take into account that a self-represented litigant is not law trained.
- 6. After the hearing, it is the responsibility of the self-represented litigant to prepare a proper journal entry and take the same to the Clerk's office. The Clerk will then forward the document to the Court for review and signature.

IT IS SO ORDERED

No. cn=Kathleen Lynch, Digitally signed by Kathleen Lynch, DN: cn=Kathleen Lynch, DN: cn=Ka

## **Self-Represented Litigant Certification Form**

By signing this form, I certify that the attached filing complies with the certification requirements in the Temporary Rule for Filing in a District Court by a Self-Represented Litigant.

I CERTIFY: (	You must complete this section.)					
_	☐ I signed the attached filing and provided my name, address, telephone number, email address (if available), and fax number (if available).					
I ALSO CERT	TIFY: (Only complete one of the next two sections.)					
I checked	ment does not contain prohibited personally identifiable information ("PII"). my document for PII and made sure that my document meets the requirements mporary Rule. It meets those requirements because:					
	my document does not include any of the items listed in <u>Supreme Court Rule</u> <u>24(b)</u> . ( <i>This list is printed on the back of this form for reference</i> .).					
	☐ my document is a Kansas Judicial Council form and I have only provided information that is required on the form.					
	the information in my document meets an exception in <u>Supreme Court Rule</u> <u>24</u> (c). ( <i>This list is printed on the back of this form for reference</i> .).					
	OR:					
_	ument may contain prohibited PII, but I am asking the court to file it ntially under seal for the following reason: (Choose one.)					
	the court entered a prior order on that seals this document.					
	the document I am filing now asks the court to issue an order to seal a different document that is not yet filed <i>(describe the document without using PII)</i> :					
	the document I am filing now asks the court to seal a document that is already filed in this case (describe the document without using PII):					
Date:	Signature:					
	Name of Party:					

#### Personally Identifiable Information – Supreme Court Rule 24(b)

- (1) the name of a minor who is not a named party in a case and, if applicable, the name of a person whose identity could reveal the name of a minor who is not a named party in a case;
- (2) the name of an alleged victim of a sex crime;
- (3) the name of a petitioner in a protection from abuse case;
- (4) the name of a petitioner in a protection from stalking, sexual assault, or human trafficking case;
- (5) the name of a juror or venire member;
- (6) a person's date of birth except for the year;
- (7) any portion of the following:
  - (A) an email address except when required by statute or rule;
  - (B) a computer username, password, or PIN; and
  - (C) a DNA profile or other biometric information;
- (8) the following numbers except for the last four digits:
  - (A) a Social Security number;
  - (B) a financial account number, including a bank, credit card, and debit card account;
  - (C) a taxpayer identification number (TIN);
  - (D) an employee identification number;
  - (E) a driver's license or nondriver's identification number;
  - (F) a passport number;
  - (G) a brokerage account number;
  - (H) an insurance policy account number;
  - (I) a loan account number;
  - (J) a customer account number;
  - (K) a patient or health care number;
  - (L) a student identification number; and
  - (M) a vehicle identification number (VIN);
- (9) any information identified as personally identifiable information by court order; and
- (10) the physical address of an individual's residence.

#### **Exceptions – Supreme Court Rule 24(c)**

- (1) an account number that identifies the property alleged to be the subject of a proceeding;
- (2) the name of an emancipated minor;
- (3) information used by the court for case maintenance purposes that is not accessible by the public;
- (4) information a party's attorney or a self-represented litigant reasonably believes is necessary or material to an issue before the court;
- (5) the first name, initials, or pseudonym of any person identified in Rule 24(j)(2)(A) to (j)(2)(E);
- (6) any information required to be included by statute or rule; and
- (7) any information in a transcript.

**NOTE:** Supreme Court Rule 24 includes multiple comments that explain the rule's requirements and exceptions. The summary above is provided for reference, but you should read the rule with comments to fully understand the rule. You will find the full rule here:

https://www.kscourts.org/KSCourts/media/KsCourts/Rules/Rule-24.pdf



For Office Use Only	_

#### **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.

MATURE OF SUIT  (Mark only one - If the case involves more than one of the following categories, indicate the category having the highest dollar value.)						
<b>CIVIL</b> If a CH. 61: \$ _	(Judgment Demand Amo	ount)				
TORT  ☐ Asbestos Product Liability ☐ Automobile Tort ☐ Intentional Tort	CONTRACT  ☐ Buyer Plaintiff ☐ Employment Dispute - Discrimination ☐ Employment Dispute - Other	REAL PROPERTY  Eminent Domain  Mortgage Foreclosure Other Real Property	☐ STATE TAX WARRANT ☐ OTHER CIVIL			
□ Legal Malpractice □ Medical Malpractice □ Other Professional Malpractice □ Premises Liability □ Slander/Libel/Defamation □ Tobacco Product Liability	☐ Fraud ☐ Landlord/Tenant - Forcible Detainer ☐ Landlord/Tenant Dispute - Other ☐ Seller Plaintiff (debt collection) ☐ Other Contract	☐ Tax Foreclosure ☐ SMALL CLAIMS  MISCELLANEOUS ☐ 60-1507 ☐ Habeas Corpus ☐ Other Writs				
☐ Toxic/Other Product Liability☐ Other Tort☐	CIVIL APPEALS  ☐ Administrative Agency ☐ Other Civil Appeal ☐ Tax Appeal	<ul><li>□ Name Change</li><li>□ Post Judgment Elevation LM to CV</li><li>□ Transfer Pre-Judgment LM to CV</li></ul>				
<u>DOMESTIC</u>						
☐ MARRIAGE DISSOLUTION/D	DIVORCE	□ PROTECTION FROM S	STALKING □ UIFSA			
□ OTHER DOMESTIC RELATION	NS NON-DIVORCE SUPPORT, CL	ISTODY OR VISITATION	□ PATERNITY			
□ DOMESTIC FOREIGN JUDGM	ENT (OUT OF COUNTY)					
PROBATE/ESTATE						
GUARDIAN/CONSERVATOR	□ <u>DETERMINATION OF DESCEN</u>	T				
☐ Conservatorship/Trusteeship☐ Guardianship - Adult☐ Conservationship - Miner	☐ SEXUALLY VIOLENT PREDATO	OR ☐ FOREIGN AD	<u>OPTION</u>			
☐ Guardianship - Minor ☐ Guardian/Conservator - Adult ☐ Conservator - Minor	□ DECEDENT ESTATE	☐ CARE AND TE	<u>REATMENT</u>			
☐ Guardian/Conservator – Minor  PROBATE RECORDS	☐ REFUSAL TO GRANT LETTERS	☐ TERMINATION OF JOINT TENANCY				
☐ Probate Record – Other County ☐ Probate Record – Other State	☐ FILING WILL AND AFFIDAVIT	T □ TERMINATION OF LIFE ESTATE				
OTHER PROBATE/ESTATE						
JURY DEMAND	ES (Check yes only if jury demand is included in p	etition or as a separate pleadin	g)			
SUMMONS ATTACHED	SHERIFF'S PRO	CESS FEE ATTACHED	YES NO			
☐ SHERIFF	S SERVER/ATTORNEY IN STATE OUT OF STATE	(County) (State)				

PLAINTIFF/SUBJECT (ATTACH ADDITIONAL SHEET, IF N			DEFENDAN (ATTACH ADDITIO	T/OTHER PARTY INFORMATION ONAL SHEET, IF NECESSARY)		
NAME:			NAME:			
ADDRESS:			ADDRESS: _			
PHONE:	SEX:		PHONE:	SEX:		
CELL PHONE:			CELL PHONE	::		
E-MAIL:			E-MAIL:			
SSN:	DOB:		SSN:	DOB:		
DL OR STATE ID NO:	State and Number		DL OR STAT	E ID NO:State and Number		
ALIAS NAMES USED:			ALIAS NAME	ES USED:		
ATTORNEYS (Firm Name, Address, Tele Court ID Number)	ephone Number and Supro	eme	ATTORNEYS (Firm Name, A Court ID Num	Address, Telephone Number and Supreme		
FOR DOMESTIC CASE DEPENDENT CHILD:	<u>S - NAME, DATE OF I</u>	BIRTH AN	D SOCIAL S	ECURITY NUMBER OF EACH		
(Name)		(Date of B	irth)	(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.

#### 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:	Restrained Per information)	rson/Defen	dant Ide	entifiers: (Ple	ase inc	lude all	available
Any other name(s) Defendant has been known by:	SEX	RAC	CE	YOB	Н	Т	WT
Defendant can be found at (give all available addresses):  Home Address:	HAIR	EYI	ES	LAST 4 DI	GITS C	OF SSN (	(IF KNOWN)
	DL#	DL ST	ATE	<u> </u>	L EX	KP. DA	ATE
Phone number(s):  Times Defendant is usually there	VEHICLE	MAKE	VEH	  CLE MO	DEL	VEHI	CLE YEAR
Place of employment:	Distinguis Please des	hing Featu cribe:	ıres (tat	ttoos, scars,	locatio	ons freq	uented, etc
Phone number(s):							
Times Defendant is usually there							
Other Address:							
Phone number(s):  Times Defendant is usually there	Does defer	ndant own o	or posse	? □Yes □I	ons? □		
Protected Person's Name:	Protected Pe	erson's Ide	ntifiers:				
	Full Date of						
Relationship to Defendant:  ☐ are or ☐ have been in a dating relationship ☐ reside together or ☐ formerly resided together ☐ have a child in common	(It is import Sex: ☐ I Race	Female	] Male	protected per	son's f	ull date	of birth)

# IN THE DISTRICT COURT OF WYANDOTTE COUNTY, KANSAS CIVIL DEPARTMENT

 Petiti	oner	-
1 Cuu	oner	Case No
and		
Pagn	ondent	<del>-</del>
Resp	ondent	
Petiti	on Pursuant to K.S.A. Chapter 60	
	<u>PETITION FOR</u>	R PROTECTION FROM ABUSE ORDER (K.S.A. 60-3101 et seq.)
1.	Plaintiff seeks an order for prote (Check and fill out either a, b, o	
	a. □ For Plaintiff Only (Kansas law requires a former of following options.)	or current relationship which may be established by any one of the
	Plaintiff and Defendant:	
	☐ reside together	in a dating relationship in the same residence ed together in the same residence
	OR	
	b.  ☐ For Plaintiff and minor c	hild(ren)
	Plaintiff is:	
	☐ the child(ren)': ☐ the child(ren)	ne child(ren) esides with the child(ren) s court appointed legal custodian s court-appointed legal guardian.
	sas law requires a former or curre wing options.)	nt relationship which may be established by any one of the
	Plaintiff and Defendant:  ☐ are in a dating relation ☐ were formerly in a dat ☐ reside together in the s ☐ formerly resided toget ☐ have a child in common	ting relationship same residence ther in the same residence

Rev. 07/2021 KSJC Page 1 of 6

	_	in the same residence	
	formerly reside	ed together in the same residence	
	•	he following minor child(ren):	
(Give full names NAME	and year of birt <b>YOB</b>	parent's name	PARENT'S NAME
TYTE	100	THENT STANCE	
OR			
c. □ Only	for the minor	child(ren)	
Pl	aintiff is:		
		ent of the child(ren)	
		t who resides with the child(ren) d(ren)'s court appointed legal custodia	าท
		d(ren)'s court-appointed legal guardia	
(Kansas law reai	iires a former o	r current relationship which may be e.	stablished by any one of the
following options	•	1	
M	inor child(ren)	and Defendant:	
	, ,	dating relationship	
		rmerly in a dating relationship	
		ogether in the same residence	
		y resided together in the same residence in the common	ce
Dlaintiff asles for	_		
(Give full names	_	he following minor child(ren):	
NAME	YOB	PARENT'S NAME	PARENT'S NAME
	100	TIMETOT STORY	
2. Defendant can	be served at: (p	please provide all available addresses)	
HOME: street		city	
state	_ zip code	phone number ()	
times wh	nen defendant is	s usually there	
WORK: street		city	
state_	_ zip code	phone number ()	
		s usually there	
OTHER: street		city	
state	zip code	phone number ()	
		s usually there	

.Plaintif	f needs a protection from abuse because Defendant: (check all that apply)
	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.
. І	Describe why you are asking for a protection from abuse order and include specific facts
_	
_	
_	
_	
_	
_	
_	
_	
_	
_	
(2	ATTACH MORE PAGES AS NEEDED)
	laintiff requests that Plaintiff's   address and/or   telephone number remain confidential for  the following reason(s): (complete if applicable)
_	
	f Plaintiff requests that Plaintiff's address remain confidential, Plaintiff must complete the rotection from Abuse Confidential Address Form and include it with this petition.)

3.If the defendant is a minor, a Minor Defendant Addendum is attached.

Rev. 07/2021 KSJC

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 located at:				
	□ and the workplace located at:				
DON	e address or other description of residence and workplace from which Defendant is to be excluded. NOT include the residential address if Plaintiff is requesting that Plaintiff's residential address is to in confidential.)				
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.				
the re	☐ Plaintiff requests the court order that the defendant immediately move from and not return to esidence, and that law enforcement officers be directed to remove Defendant from the residence, ed 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:				
	<ul> <li>i. Temporary legal custody (decision-making) and residency of the minor child(ren) be:</li> <li>□ Joint legal custody (decision-making) between Plaintiff and Defendant until this order expires.</li> </ul>				
	OR				
	☐ Sole legal custody (decision-making) granted to ☐ Plaintiff ☐ Defendant until this order expires.				

	n. 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)
	<ul> <li>□ suitable alternate housing for Plaintiff and minor child(ren)</li> <li>□ custody of the minor child(ren) (UCCJEA form completed)</li> <li>□ child support</li> <li>□ support of spouse</li> <li>□ possession of personal property, including pets, and the assistance of law enforcement officers</li> </ul>
	in securing that property, if necessary  □ attorney's fees, if represented by counsel, and costs □ counseling for Defendant
	<ul> <li>□ 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</li> <li>□ other, please specify:</li> </ul>
12.	The following legal actions have been filed between Plaintiff and Defendant or involving the minor child(ren): (check case type, give county filed in, and give case number and date filed, if known)
	□ divorce/custody
	parentage
	☐ child in need of care ☐ action seeking protective order
	□ other

### **VERIFICATION**

	20
and correct. Executed on	, 20
	Plaintiff's Signature
	Plaintiff's Name
	Address
	City, State, Zip
	Telephone Number
	Email
	one number remain confidential, Plaintiff must
-	lential Address Form and include it with this pe
Attorney representing Plaintiff (if any)	
Attorney representing Plaintiff (if any)	
Attorney representing Plaintiff (if any)  Attorney's Name	
Attorney representing Plaintiff (if any)  Attorney's Name  Address	
Attorney representing Plaintiff (if any)  Attorney's Name  Address  City, State, Zip  Telephone	

# IN THE DISTRICT COURT OF WYANDOTTE COUNTY, KANSAS CIVIL DEPARTMENT

In the	e Matter of	
Petiti	oner	
and		Case No
una		
Respo	ondent	
Respo	ondent's Address:	
	"Petitioner" n	ND SERVICE INSTRUCTION FORM means the person who filed the Petition. cans the person who did not file the Petition.
To:	Clerk of the District Court:	
		e a Summons and Petition in the above-entitled action for the are hereby instructed to effect service, as follows:
□ a.	Personal <i>Service inside Kansas</i> – Wyandotte County, State of Kan	- Service through the office of the Sheriff of sas, other than by certified mail.
□ b.	County	y, State of (another person's
	location) by other than certified in Personal Service through the Spe	
□ c.	reisonal Service unough the Spe	cetal Flocess Server
		X
		Signature of Petitioner
		Name (Print):
		Address:
		City, State, Zip:
		Telephone Number

## IN THE DISTRICT COURT OF WYANDOTTE COUNTY, KANSAS

Plaintiff	Case No	
VS.		
Defendant	PERSONAL SERVICE ONLY	
Address:		
SUMMONS	AND NOTICE OF HEARING FOR PROTECTION ORDER	
To the above-named de	fendant:	
	that the attached petition for protection was filed against you has entered the attached temporary orders  has not entry out.	
A hearing on this	matter has been scheduled on:	
Date:	, 20	
Time:		
Place: Wyandott	e County Courthouse, 710 N 7 <sup>th</sup> St Kansas City, Ks 66101	
P	FA/PFS HEARINGS ARE HELD VIA ZOOM.	
appear and cross-exam sought should not be gr	tend the hearing, final orders may be issued against you. You ine the plaintiff's witnesses and present evidence as to why the anted. You may file an answer or counter-petition but are not requit to appear with or without an attorney.	orders
Date:	Clerk of the District Court/Deputy	

# IN THE DISTRICT COURT OF WYANDOTTE COUNTY, KANSAS CIVIL DEPARTMENT

Petitioner	- C N
and	Case No
Respondent	-
PROTECTION FROM	<u>A ABUSE CONFIDENTIAL ADDRESS FORM</u> (K.S.A. 60-3104(e))
NEED TO REMAIN CONFIDENTIAL MINOR CHILD(REN), THIS FORM VLAW ENFORCEMENT PERSONNEL	THE PLAINTIFF'S ADDRESS AND TELEPHONE NUMBER FOR THE PROTECTION OF THE PLAINTIFF OR THE VILL BE SHOWN ONLY TO AUTHORIZED COURT OR AND WILL NOT BE DISCLOSED TO THE PUBLIC OR TO NTIFF'S RESPONSIBILITY TO NOTIFY THE COURT OF LEPHONE NUMBER.
Name of Plaintiff:	
Confidential Address:	
Street	
City	
State	
Zip Code	
Phone Number	

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

**Temporary Order of Protection from Abuse** Judge or Division: Case No: Kathleen M. Lynch Div. 10 Court ORI No: Plaintiff Identifiers: Plaintiff Year of Birth Relationship to Defendant: Sex: \_\_\_\_ ☐ are or ☐ have been in a dating relationship ☐ reside together ☐ formerly resided together ☐ have a child in common ☐ Plaintiff is filing on behalf of a minor child Vs Defendant Identifiers: Defendant: **RACE SEX YOB** HTWT LAST 4 DIGITS OF SSN (IF KNOWN) **HAIR EYES** Address: DL# DL STATE **DL EXP. DATE Protected Person(s):** (Only the party, or parties, initialed by the judge are Protected Person(s).) Plaintiff, (name of plaintiff) The following child(ren): Child's Name Child's Year of Birth Sex

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 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
The plaintiff's $\square$ address and $\square$ 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. [ 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, 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, 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. The 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)

Rev. 07/2021 Page 3 of 5

☐ Defendant shall	ary parenting time shall be as follows:  I have no parenting time; [ NCIC 09 ]  I have supervised parenting time as follows:
[ NCIC 06 & 08 ]  □ Plaintiff and De [ NCIC 06 & 08]	efendant shall have parenting time as follows:
-	efendant shall exchange the minor child(ren) for parenting time at:
[ NCIC 08 ]4. Law Enforcement shall a	assist Plaintiff in obtaining physical custody of the minor child(ren).
SO ORDERED:	
Date	Kathleen M Lynch, Judge

#### 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.

Rev. 07/2021 Page 5 of 5

### IN THE DISTRICT COURT OF WYANDOTTE COUNTY, KANSAS

,	Plaintiff		
VS.	Case No		
	Defendant		
UNIFORM CHILD	CUSTODY JURISDICTION AND ENFO AFFIDAVIT (K.S.A. 60-3101 et seq.)	RCEMENT ACT (UCC	C <b>JEA</b> )
I, (full legal name) that the following statement	onts are true:	age, being first duly swo	orn, certify
1. The names and this proceeding are:	d dates of birth of the children now under eigh	nteen years of age and su	bject to
a	(child's name), was born in	(month)	(year).
b	(child's name), was born in	(month)	(year).
c	(child's name), was born in	(month)	(year).
d	(child's name), was born in	(month)	(year).
2. The child(ren)	now live with:	(name	e of adult)
	(city),	(state) and have live	d at this
place since	(date).		
	r and have requested that the court keep y 104(e), you should write "confidential" in a		

Rev. 1/2022 © KSJC Page 1 of 5

to enter the address where you are currently living.

From Date	Until Date	City, State		Name ar	of page four as needed.  Id Relationship of Adult  Ith Child, and Adult(s)  Address	t(s
ursuant to K.S.	<b>A.</b> 60-3104(e), you	should write "c	onfidentia		address confidential space that would require	e y
ursuant to K.S.A o enter the addr 4. I ha	A. 60-3104(e), you ess where you are	should write "c currently living in involved in a co	onfidentia urt case in	d" in any s		
oursuant to K.S o enter the addr  4. I have hild (ren). The following the second results and the second results are second results and the second results are second results and the second results are	A. 60-3104(e), you ess where you are have not been	should write "c currently living in involved in a co are on file about	urt case in the child(1	d" in any s	space that would require	
ursuant to K.S o enter the addr 4. I haw hild(ren). The fol	A. 60-3104(e), you ess where you are have not been lowing court cases	should write "c currently living in involved in a co are on file about	urt case in the child(1	volving th	space that would require e custody or visitation of	
ursuant to K.S o enter the addr 4. I haw hild(ren). The fol	A. 60-3104(e), you ess where you are have not been lowing court cases	should write "c currently living in involved in a co are on file about	urt case in the child(1	volving th	space that would require e custody or visitation of	
oursuant to K.S o enter the addr  4. I har hild(ren). The fol	A. 60-3104(e), you ess where you are have not been lowing court cases	should write "c currently living in involved in a co are on file about	onfidentia urt case in the child(1	volving th	space that would require e custody or visitation of	
oursuant to K.S o enter the addr  4. I har hild(ren). The fol	A. 60-3104(e), you ess where you are have not been lowing court cases	should write "c currently living in involved in a co are on file about	onfidentia urt case in the child(1	volving th	space that would require e custody or visitation of	
oursuant to K.S.A. o enter the addr	A. 60-3104(e), you ess where you are have not been lowing court cases	should write "c currently living in involved in a co are on file about	onfidentia urt case in the child(1	volving th	space that would require e custody or visitation of	

the current proceed to domestic violence	ing, including but not limited to p	roceedings for e of parental rights	OTHER proceeding that could affect enforcement and proceedings relating and adoption. The following court
Type of Case	Court, City and State	Case Num	ber Last Order Date
6 The fall	owing named parsons not a party.	to this proceedi	ng have physical custody or claim to
	itation rights with respect to any c	-	
Name	Address, City and State		Check the box that applies
			Has Physical Custody Claims Custody Rights Claims Visitation Rights Has Physical Custody Claims Custody Rights
			Claims Visitation Rights  Has Physical Custody Claims Custody Rights Claims Visitation Rights  Has Physical Custody Claims Custody Rights
			Claims Visitation Rights  Has Physical Custody Claims Custody Rights Claims Visitation Rights

	knowledge that I have a continui hat could affect the current proc	ng duty to inform the court of proceeding(s) in this or any eeding.
I cer	tify under penalty of perjury und	der the laws of the state of Kansas that the foregoing is true
and correct.	Executed on	, 20
		Plaintiff's Signature
		Name (Print):

\*If you are the petitioner and have requested that the court keep your address confidential pursuant to K.S.A. 60-3104(e), you should write "confidential" in any space that would require you to enter the address where you are currently living.

#### THE FOLLOWING INFORMATION IS TRUE:

(Child's Full Legal Name)	, lived at the following
address(es) with the adult(s) listed during the past five years:	

From Date	Until Date	City, State	Name and Relationship of Adult(s) Living with Child, and Adult(s) Present Address

<sup>\*</sup>If you are the petitioner and have requested that the court keep your address confidential pursuant to K.S.A. 60-3104(e), you should write "confidential" in any space that would require you to enter the address where you are currently living.

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