

\_\_\_\_\_  
Plaintiff

Case No. \_\_\_\_\_

vs.

\_\_\_\_\_  
Defendant

**COUNTER PETITION FOR PROTECTION FROM ABUSE ORDER**

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

1. Defendant seeks an order for protection from abuse:

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

i. Defendant and Plaintiff:

- 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

b.  For Defendant and Defendant's minor child(ren), or  
(Kansas law requires a former or current relationship which may be established by any one of the following options.)

i. Defendant and Plaintiff:

- 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

ii. Defendant's minor child(ren) and Plaintiff:

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

c.  Only on behalf of Defendant's minor child(ren) or minor child(ren) residing with Defendant (Kansas law requires a former or current relationship which may be established by any one of the following options.)

i. Minor child(ren) and Plaintiff:

- 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) for whom Defendant seeks protection are: (give full names and year of birth)

NAME	YOB	MOTHER'S NAME	FATHER'S NAME

2. Plaintiff 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. Defendant seeks protection from abuse because Plaintiff: (check all that apply)

- caused Defendant bodily injury or attempted to cause Defendant bodily injury
- placed Defendant in fear of imminent bodily injury by threatening Defendant
- 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 of the following acts with a minor under 16 years of age who

is not the spouse of Plaintiff: sexual intercourse or lewd fondling or touching on the person of either the minor or Plaintiff.

4. Describe why Defendant seeks a protection from abuse order and include specific facts: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Attach additional pages as needed.)

5. Defendant requests that Defendant's  address and/or  telephone number remain confidential for the following reason(s): (complete if appropriate)

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

6. Defendant requests that the Court issue a Final Order of Protection restraining Plaintiff 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) located at: \_\_\_\_\_,  
and the workplace located at: \_\_\_\_\_.

(Give address or other description of residence and workplace from which Plaintiff is to be excluded. DO NOT include the residential address if Defendant is requesting that Defendant's residential address is to remain confidential.)

7. Defendant states the residence is:  
 jointly owned or rented and jointly occupied by Defendant and Plaintiff  
 owned or rented by Defendant  
 owned or rented by Plaintiff only  
 owned or rented by someone else (explain) \_\_\_\_\_  
\_\_\_\_\_  
 not applicable because Defendant and Plaintiff do not live together.

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

8. Defendant requests that the court issue an order of temporary custody of the minor children and has attached a completed form concerning jurisdiction (UCCJEA form). (Complete either option (a.) OR option (b.))

a.  Plaintiff's parentage of the child(ren) has not been established and Plaintiff has no right to custody or parenting time with the child(ren).

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

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

Joint legal custody between Defendant and Plaintiff until this order expires; or,

Sole legal custody granted to  Defendant  Plaintiff until this order expires.

ii. Rights of temporary parenting time as follows:

Defendant and Plaintiff shall have parenting time as described in the attached parenting plan; or

Plaintiff shall have no parenting time; or

Plaintiff shall have supervised parenting time as follows: \_\_\_\_\_

Defendant and Plaintiff shall exchange the minor child(ren) for parenting time at: \_\_\_\_\_

9. 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 Plaintiff, notifying Plaintiff of this action and the relief requested.

10. After a hearing, the court should issue a Final Order of Protection from Abuse prohibiting Plaintiff from committing any acts of abuse against the protected person(s), and order the following additional relief:

suitable alternate housing for Defendant and minor child(ren)

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

child support

support of spouse

- possession of personal property, and the assistance of law enforcement officers in securing that property, if necessary
- attorney's fees, if represented by counsel, and costs
- counseling for Plaintiff
- other, please specify: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

11. The following legal actions have been filed between Defendant and Plaintiff or involving the minor child(ren): (check case type, give county filed in, and give case number and date filed, if known)
- divorce/custody \_\_\_\_\_
  - paternity \_\_\_\_\_
  - child in need of care \_\_\_\_\_
  - action seeking protective order \_\_\_\_\_
  - other \_\_\_\_\_

\_\_\_\_\_  
*Defendant's Signature*  
 Defendant's Name: \_\_\_\_\_  
 Address 1: \_\_\_\_\_  
 Address 2: \_\_\_\_\_  
 City, State, Zip: \_\_\_\_\_  
 Telephone Number: \_\_\_\_\_

**(DO NOT include the residential address if Defendant is requesting that Defendant's residential address is to remain confidential. If Defendant requests that Defendant's address remain confidential, Defendant must complete the Protection from Abuse Confidential Address Form and include it with this counter-petition.)**

\_\_\_\_\_  
 Attorney representing Defendant (if any)  
 Attorney's Name: \_\_\_\_\_  
 Address 1: \_\_\_\_\_  
 Address 2: \_\_\_\_\_  
 City, State, Zip: \_\_\_\_\_  
 Telephone: \_\_\_\_\_

**VERIFICATION**

STATE OF \_\_\_\_\_ )  
 ) ss:  
COUNTY OF \_\_\_\_\_ )

I swear or affirm that the statements made in this counter-petition are true and correct to the best of my knowledge and belief and that I am the person filing this petition.

\_\_\_\_\_  
*Defendant's Signature*

SUBSCRIBED AND SWORN to before me, a Notary Public, this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
*Notary Public*

My Appointment Expires:  
\_\_\_\_\_