GENERAL INSTRUCTIONS
FOR THOSE SEEKING 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 seek help from an attorney or victim services advocate. The Kansas Crisis Hotline (1-888-363-2287) or Kansas Legal Services (1-800-723-6953) may be able to help you find an attorney or advocate.

These are basic forms and they do not cover every situation. The Clerk of the District Court cannot help you with these forms. The clerk cannot give legal advice to you or tell you about your rights or responsibilities. The clerk can only provide very limited information about the protection order process. You can find more information about protection from abuse at http://www.kcsdv.org/pfa.html.

1. You may seek a protection from abuse order:
   a. For yourself; or,
   b. For yourself and your minor child(ren); or,
   c. For only your child(ren) or other minor child(ren) who reside with you.

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 sexual conduct (touching or sexual intercourse) with a minor child under 16 years of age.

4. If you meet the requirements above, you may file a Petition for Protection from Abuse Order with any district court. 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, requesting that the sheriff deliver the Petition for Protection from Abuse 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.

8. A Final Protection from Abuse Order will expire after one year or on the date stated in the order unless you request an extension or modification from the court before the order expires. You may request that the court extend an order for one additional year, or longer under certain circumstances. If the defendant has violated a valid protection order or been convicted of a person felony against you or a member of your household, you may request the court extend the order for at least two years or up to the lifetime of the defendant. A request to extend an order for more than one year must be personally served on the defendant and the court must hold a hearing where the defendant may appear, present evidence, and question witnesses.

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

10. If you decide to seek child support, it is highly recommended that you seek the advice of an attorney. In order to obtain 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.