

IN THE DISTRICT COURT OF SHAWNEE COUNTY, KANSAS
DIVISION _____

_____, Petitioner

v.

Case No. _____

_____, Respondent

TEMPORARY RESTRAINING ORDERS

On motion of (Petitioner)(Respondent), the Court enters the following restraining orders pursuant to K.S.A. 60-1607 (a)(2), and (b). These are temporary orders and may be modified upon application by either party. The parties are entitled to obtain counsel and the opportunity to present their views and evidence at a modification hearing or trial. The entry of this temporary order is not an indication of the Court's final decision on any issue.

- _____ 1. (a) Temporary possession of the parties' residence is awarded to (Petitioner)(Respondent). (Petitioner)(Respondent) has already obtained another temporary residence,

OR

- _____ 1. (b) Temporary possession of the parties' residence is awarded to (Petitioner)(Respondent). (Petitioner)(Respondent) has family, friends, or financial resources available to obtain a temporary residence, and it is in the best interest of the parties for a physical separation to occur and for (Petitioner)(Respondent) to arrange to live elsewhere. (Petitioner)(Respondent) shall forthwith remove clothing and personal items and shall arrange to live elsewhere, pending further order of the court. If the party to be removed is not at the residence when this order is served, he/she shall be allowed access as soon as practicable to obtain clothing and personal items necessary for use on a temporary basis.

- _____ 2. The parties shall share use of their automobile(s) or request a court hearing if a suitable agreement cannot be reached.

- _____ 3. Each party is restrained from selling, encumbering, or disposing of any of the parties' property, or otherwise placing it beyond the control of the court, including withdrawing funds from checking or savings accounts, cashing certificates of deposit, except for usual and necessary living expenses and payment of already

existing installment indebtedness. The parties will maintain all their insurance policies (life, health/medical, auto) in their present status. This order applies to all property owned by either party, whether held jointly or individually.

_____ 4. (a) The parties are restrained from molesting or interfering with the privacy or rights of the other, or bothering or hindering the other at their place of residence, employment, or wherever they may be found. Consensual non-violent contact is permitted, however, use of threatening language in person or by telephone, and any violent verbal or physical action is a direct violation of this order. If the parties have children, this order permits the parties to have contact as necessary to facilitate parenting time.

OR

_____ 4. (b) Based upon facts alleged in the accompanying motion, the parties are ordered to have no contact with each other. If the parties have children, exchanges of the children shall be arranged so that there is no contact between the parties.

This order is binding upon service until vacated or modified by written agreement of the parties. If this order was issued without appearance in court, the Court will hear a motion to vacate or modify the order within 15 days of the date from which a party files a written request for hearing.

THE PARTIES ARE HEREBY PUT ON NOTICE THAT VIOLATION OF THIS ORDER MAY CONSTITUTE VIOLATION OF A PROTECTIVE ORDER AS PROVIDED IN K.S.A. 21-3843. ADDITIONALLY, VIOLATION OF THIS ORDER MAY CONSTITUTE ASSAULT AS PROVIDED IN K.S.A. 21-3408, AND AMENDMENTS THERETO, BATTERY AS PROVIDED IN K.S.A. 21-3412, AND AMENDMENTS THERETO, DOMESTIC BATTERY AS PROVIDED IN K.S.A. 21-3412A, AND AMENDMENTS THERETO, AND MAY RESULT IN PROSECUTION AND CONVICTION UNDER KANSAS CRIMINAL STATUTES.

IF POSSESSION OF THE RESIDENCE IS GRANTED TO ONE OF THE PARTIES, VIOLATION OF THIS ORDER BY THE OTHER PARTY MAY CONSTITUTE CRIMINAL TRESPASS PURSUANT TO K.S.A. 21-3721, AND AMENDMENTS THERETO, AND MAY RESULT IN PROSECUTION AND CONVICTION UNDER KANSAS CRIMINAL STATUTES. VIOLATION OF THIS ORDER MAY ALSO BE PUNISHABLE AS A CONTEMPT OF THIS COURT.

THIS PROTECTION ORDER MAY SUBJECT THE OFFENDING PARTY TO FEDERAL FIREARMS RESTRICTIONS, AND VIOLATION OF THIS ORDER MAY SUBJECT THE OFFENDER TO PROSECUTION FOR SUCH FEDERAL CRIMES, INCLUDING, BUT NOT LIMITED TO: FIREARMS POSSESSION; INTERSTATE TRAVEL TO COMMIT DOMESTIC VIOLENCE; INTERSTATE STALKING; AND INTERSTATE VIOLATION OF A DOMESTIC VIOLENCE ORDER.

Entered this _____ day of _____, 200__, at Topeka, Kansas.

District Court Judge