

IN THE DISTRICT COURT OF _____ COUNTY, KANSAS

_____, Plaintiff

vs.

Case No. _____

_____, Defendant

**NOTICE OF HEARING AND
TEMPORARY ORDERS OF PROTECTION**

To defendant (name):

You may appear in this Court as follows to give any evidence you may have why orders sought in the petition should not be granted.

Date: _____

Time: _____

Place: _____

If you do not attend the hearing, final orders may be made against you. You have the right to appear and oppose the petition with or without an attorney.

TEMPORARY ORDERS OF PROTECTION

INFORMATION ABOUT DEFENDANT: Race _____ Sex _____

Date of Birth _____ Social Security Number _____

THIS TEMPORARY ORDER SHALL REMAIN IN EFFECT UNTIL SERVICE OF THE FINAL ORDER IS EFFECTUATED UNLESS OTHERWISE TERMINATED BY ORDER OF THE COURT.

On this date, _____, plaintiff's petition for temporary orders of protection comes for consideration under the provisions of K.S.A. 60-3101, et seq.

After considering the verified petition filed with the court by the plaintiff, the court finds that:

- (1) The plaintiff has established good cause for the court to issue a temporary order of protection from abuse.
- (2) Including this petition, the plaintiff has not filed more than two actions under the Protection from Abuse Act in the past twelve months which did not involve abuse of minor children.

IT IS THEREFORE BY THE COURT ORDERED THAT:

1. The defendant shall not abuse, molest, or interfere with the privacy or rights of the plaintiff, the plaintiff's minor child(ren) or the minor child(ren) residing with the plaintiff, wherever they may be. This means no contact with the plaintiff, directly or indirectly, by the defendant or by someone at the defendant's direction or request, except as authorized by the Court in this Order.
2. The defendant shall not enter or come on or around the premises or the dwelling or workplace where the plaintiff resides, stays or works.
3. _____ (CHECK IF APPLICABLE) The plaintiff is granted exclusive possession of the residence located at:

_____ (CHECK IF APPLICABLE)

The plaintiff's _____ address and _____ telephone number must remain confidential for the protection of the plaintiff, plaintiff's child(ren) or the minor child(ren) residing with plaintiff.

If the plaintiff is granted exclusive possession of the residence then the defendant must immediately move from such address and take only personal clothing and effects until further order of the court. Defendant shall not cancel utilities to such residence. Law enforcement officials are hereby directed to evict the defendant from such residence, and to ensure that defendant does not enter or re-enter the premises or any other residence the plaintiff may occupy.

(COMPLETE IF APPLICABLE)

4. Care, custody and control of the following minor child(ren) are temporarily awarded to _____ plaintiff or _____ defendant:

5. Other: _____

6. 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; the 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.

THIS ORDER IS EFFECTIVE WHEN SIGNED BY THE JUDGE. LAW ENFORCEMENT OFFICIALS SHALL ENFORCE THE ORDER IMMEDIATELY UPON RECEIPT.

THE DEFENDANT IS 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 THE PLAINTIFF, VIOLATION OF THIS ORDER BY THE DEFENDANT CONSTITUTES 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.

IT IS SO ORDERED.

JUDGE OF THE DISTRICT COURT