

IN THE DISTRICT COURT OF _____ COUNTY, KANSAS

Plaintiff

Case No. _____

vs.

Defendant

Petition Pursuant to K.S.A. Chapter 60

PETITION FOR PROTECTION FROM ABUSE ORDER

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

1. Plaintiff seeks an order for protection from abuse:
(*check and fill out either a, b, or c*)

a. **For Plaintiff Only**

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

Plaintiff and Defendant:

- 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

OR

b. **For Plaintiff and minor child(ren)**

Plaintiff is:

- the parent of the child(ren)
- an adult who resides with the child(ren)
- the child(ren)'s court appointed legal custodian
- the child(ren)'s court-appointed legal guardian.

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

Plaintiff and Defendant:

- 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) and Defendant:

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

Plaintiff asks for protection for the following minor child(ren):
(give full names and year of birth)

NAME	YOB	PARENT'S NAME	PARENT'S NAME

OR

c. Only for the minor child(ren)

Plaintiff is:

- the parent of the child(ren)
- an adult who resides with the child(ren)
- the child(ren)'s court appointed legal custodian
- the child(ren)'s court-appointed legal guardian.

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

Minor child(ren) and Defendant:

- 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

Plaintiff asks for protection for the following minor child(ren):
(give full names and year of birth)

NAME	YOB	PARENT'S NAME	PARENT'S NAME
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

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

4. Plaintiff needs a protection from abuse because Defendant: *(check all that apply)*

- caused Plaintiff bodily injury or attempted to cause Plaintiff bodily injury
- 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.

engaged in any of the following acts with a minor under 16 years of age who is not the spouse of Defendant: sexual intercourse or lewd fondling or touching on the person of either the minor or Defendant.

5. a. Describe why you are asking for a protection from abuse order and include specific facts or other instances where you experienced violence by Defendant or were afraid of injury or harm by Defendant, or where Defendant threatened to harm or kill you:

(Attach more pages as needed.)

- b. Describe any past incidents where you experienced violence by Defendant, where you were afraid of injury or harm by Defendant, or where Defendant threatened to harm or kill you:

(5b continued)

(Attach more pages as needed.)

c. Have any criminal charges ever been filed based on the incidents described above (in 5a or 5b)? If yes, give name of county where case was filed and case number, if known.

6. Plaintiff requests that Plaintiff's **address and/or** **telephone number** remain confidential for the following reason(s): *(complete if applicable)*

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

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 person(s) located at: _____,

and the workplace located at: _____.

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

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

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

Joint legal custody (*decision-making*) between Plaintiff and Defendant until this order expires.

OR

Sole legal custody (*decision-making*) granted to
 Plaintiff **Defendant** until this order expires.

ii. 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)*

- suitable alternate housing for Plaintiff and minor child(ren)
- custody of the minor child(ren) *(UCCJEA form completed)*
- child support
- support of spouse
- possession of personal property, including pets, and the assistance of law enforcement officers in securing that property, if necessary
- attorney's fees, if represented by counsel, and costs
- counseling for Defendant
- 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
- other, please specify: _____
- _____
- _____

12. a. List any current or past divorce or legal separation court cases between Plaintiff and Defendant.

County, State Case number Date filed, if known

County, State Case number Date filed, if known

b. List any current or past protection order, restraining order, or no-contact orders between Plaintiff and Defendant.

County, State Case number Date filed, if known

County, State Case number Date filed, if known

County, State Case number Date filed, if known

VERIFICATION

I verify under penalty of perjury under the laws of the state of Kansas that the foregoing is true and correct. Executed on _____, 20__.

Plaintiff's Signature

Plaintiff's Name: _____

Address 1: _____

Address 2: _____

City, State, Zip: _____

Telephone Number: _____

Email: _____

(DO NOT include the residential address or telephone number if Plaintiff is requesting that Plaintiff's residential address and telephone number are to remain confidential. If Plaintiff requests that Plaintiff's address and telephone number remain confidential, Plaintiff must

complete the Protection from Abuse Confidential Address Form and include it with this petition.)

Attorney representing Plaintiff (if any)

Attorney's Name: _____

Address 1: _____

Address 2: _____

City, State, Zip: _____

Telephone: _____

Email: _____