

18TH JUDICIAL DISTRICT, DISTRICT COURT

GENERAL INFORMATION
FOR THOSE SEEKING A PROTECTION FROM STALKING ORDER

1. Before you can get a Protection from Stalking Order, stalking must have occurred. Stalking is an intentional harassment of another person that places the other person in reasonable fear for that person's safety. Harassment means a knowing and intentional course of conduct directed at a specific person that seriously alarms, annoys, torments or terrorizes the person and that serves no legitimate purpose. Course of conduct means conduct consisting of two or more separate acts over a period of time, however short, that show a continuity of purpose which would cause a reasonable person to suffer substantial emotional distress.
2. You may seek a Protection from Stalking Order for yourself, for your minor child or for a minor child who lives with you.
3. You should be available to testify at future hearings as set by the judge. If you fail to appear, the case may be dismissed.
4. Legal help may be available through your private attorney or legal services.
5. A Final Protection from Stalking Order will expire after one year or on the date stated in the order, unless you request an extension or modification from the court.

IN THE DISTRICT COURT OF SEDGWICK COUNTY, KANSAS

_____,

Plaintiff

vs.

Case No. _____

_____,

Defendant

PROTECTION FROM STALKING CONFIDENTIAL FORM

NOTE: THIS FORM WILL BE SHOWN ONLY TO AUTHORIZED COURT OR LAW ENFORCEMENT PERSONNEL. THIS FORM WILL NOT BE DISCLOSED TO THE PUBLIC OR TO THE DEFENDANT.

IT IS THE PLAINTIFF'S RESPONSIBILITY TO NOTIFY THE COURT OF ANY CHANGE IN ADDRESS OR TELEPHONE NUMBER.

Name of Plaintiff _____

Confidential Address:

Street _____

City _____ State _____ Zip Code _____

Phone Number _____

IN THE DISTRICT COURT OF SEDGWICK COUNTY, KANSAS

Plaintiff

vs.

Case No. _____

Defendant

NOTICE: THIS INFORMATION IS FOR THE USE OF LAW ENFORCEMENT. COMPLETION OF THIS INFORMATION WILL HELP LAW ENFORCEMENT IDENTIFY THE DEFENDANT. THIS INFORMATION IS VOLUNTARY ON THE PART OF THE PLAINTIFF.

1. Defendant's name or names if he/she has been known at any other time by a different name:

2. General description of defendant (please attach recent photograph, if available):

Race _____ Sex _____
Height _____ Social Security Number _____
Weight _____ Age or Date of Birth _____
Hair _____ Color Eye Color _____
Glasses? _____ Defendant's Vehicle _____

Does Defendant own or possess any weapons? _____

If so, what kinds? _____

3. Please describe any special identifying characteristics of the defendant which would help law enforcement in identification (such as tattoos, scars, locations frequented by the defendant):

4. The defendant can be found at: (give 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: please explain _____
street _____
city _____ state _____ zip code _____
phone number _____
times when defendant is usually there _____

ATTACH TO PROTECTIVE ORDERS

IN THE DISTRICT COURT OF SEDGWICK COUNTY, KANSAS

Plaintiff

vs.

Case No. _____

Defendant

**PETITION FOR PROTECTION FROM STALKING ORDER
(Pursuant to K.S.A. 60-31a01, et seq.)**

1. My name is _____ . I live in the City of _____ ,
in the County of _____ , Kansas.

2. I am seeking protection for: (check all that apply)

- myself
- my minor child (under age 18)
- a minor child who lives with me

3. The following minor children are involved in this matter: (give full names and ages)

Name	DOB	Mother's Name	Father's Name
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

4. The defendant's name is _____ .

5. I am seeking a protection from stalking order because the defendant has: (Briefly describe the specific facts about why you are seeking a protection from stalking order)

(FOR ADDITIONAL SPACE SEE ATTACHED SUPPLEMENT)

6. The defendant's conduct has caused me to feel: _____

7. The acts complained of occurred on these dates: _____

in the county of _____, Kansas.

8. The defendant can be found at: (give all available addresses, if known)

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: please explain _____
street _____
city _____ state _____ zip code _____
phone number _____
times when defendant is usually there _____

WHEREFORE, plaintiff requests that the Court issue an order of protection restraining defendant from:

- _____ a) following, harassing, telephoning, contacting or otherwise communicating with the victim
- _____ b) abusing, molesting or interfering with the privacy rights of the victim
- _____ c) entering upon or in the victim's residence or the immediate vicinity thereof.
- _____ d) other _____

Plaintiff further requests that copies of orders be given to the appropriate law enforcement agencies; that a date, time and place for a hearing on this matter be set; and that summons be issued to defendant, notifying the defendant of this action and the relief requested.

Plaintiff further requests that upon hearing of this cause, the Court issue a final order of protection from stalking, enjoining defendant from any acts of stalking against the plaintiff and/or the minor child, and that the Court award to plaintiff the following additional relief:

- _____ a) attorney's fees, if represented by counsel; and costs
- _____ b) other, please specify: _____

and for such other and further relief, all as appropriate and as the Court deems necessary.

Plaintiff's signature

(If attorney represents the plaintiff, the attorney's address and phone number must be provided.)

VERIFICATION

STATE OF KANSAS)
)
COUNTY OF _____)

ss:

_____, of lawful age, being first duly sworn states that (she)(he) is the plaintiff in the above action; that (she)(he) has read the foregoing Petition and knows the contents of it and that the declarations in it are true and correct to the best of plaintiff's knowledge and belief.

Plaintiff's signature

SIGNED AND SWORN to (or affirmed) before me on this _____ day of _____, _____.

Clerk of the District Court/Notary Public

My Appointment Expires:

IN THE DISTRICT COURT OF SEDGWICK COUNTY, KANSAS

Plaintiff

vs.

Case No. _____

Defendant

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

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: JURY ROOM 1ST, FLOOR
SEDGWICK COUNTY COURTHOUSE
525 NORTH MAIN
WICHITA, KANSAS 67203

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.

REASONABLE ACCOMMODATIONS WILL BE PROVIDED IN ACCORDANCE WITH THE AMERICANS WITH DISABILITY ACT.

TEMPORARY ORDERS OF PROTECTION FROM STALKING

INFORMATION ABOUT DEFENDANT: Race _____ Sex _____

THIS TEMPORARY ORDER SHALL EXPIRE ON THE DATE SCHEDULED FOR HEARING UNLESS EXTENDED BY THE COURT.

On this date, _____, plaintiff's petition for temporary orders of protection from stalking comes for consideration under the provisions of K.S.A. 60-31a01, et seq.

After considering the verified petition filed with the court by the plaintiff, the court finds that the plaintiff has established a *prima facie* case of stalking sufficient for the court to issue a temporary order of protection from stalking.

IT IS THEREFORE BY THE COURT ORDERED THAT:

1. The defendant shall not follow, harass, telephone, contact or otherwise communicate with the victim.
2. The defendant shall not abuse, molest, or interfere with the privacy rights of the victim, wherever the victim might be.
3. The defendant shall not enter upon or in the victim's residence or the immediate vicinity thereof.
4. Other: _____

5. 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. 2265.

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 VIOLATIONS OF THIS

ORDER MAY CONSTITUTE STALKING AS PROVIDED IN K.S.A. 21-3438, AND AMENDMENTS THERETO, ASSAULT AS PROVIDED IN K.S.A. 21-3408, AND AMENDMENTS THERETO, BATTERY AS PROVIDED IN K.S.A. 21-3412, AND AMENDMENTS THERETO, CRIMINAL TRESPASS AS PROVIDED IN K.S.A. 21-3721(a)(1)(C), AND AMENDMENTS THERETO, AND VIOLATION OF A PROTECTIVE ORDER AS PROVIDED IN K.S.A. 21-3843 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