

## Kansas Domestic & Sexual Violence Helpline Numbers

|                           |   |
|---------------------------|---|
| Atchison / Hiawatha       | 913-367-0363<br>or 800-367-7075   |
| Coffeyville               | 620-251-3772  |
| Dodge City                | 620-225-6510  |
| El Dorado                 | 800-870-6967  |
| Emporia                   | 800-825-1295<br>or 620-342-1870   |
| Garden City               | 620-275-5911  |
| Great Bend                | 620-792-1885  |
| Hays / Goodland           | 800-794-4624<br>or 785-625-3055   |
| Hutchinson / McPherson    | 620-663-2522  |
| Iola                      | 620-365-7566  |
| Kansas City, KS           | 913-321-0951<br><i>Metro-wide</i> 816-Hotline   |
| Lawrence                  | <i>Rape Victim/Survivor Services</i> 785-841-2345<br><i>Women's Transitional Care Services</i> 785-843-3333<br>or 800-770-3030  |
| Leavenworth               | 913-682-9131  |
| Liberal                   | 620-624-8818  |
| Manhattan / Junction City | 800-727-2785<br>or 785-539-2785   |
| Mayetta                   | 888-966-2932  |
| Newton                    | 800-487-0510  |
| Overland Park             | 913-262-2868<br><i>Metro-wide</i> 816-Hotline   |
| Pittsburg                 | <i>Miami County</i> 888-432-4300<br>800-794-9148  |
| Reserve                   | 785-742-0053  |
| Salina                    | 800-874-1499  |
| Tonganoxie                | 913-845-2301  |
| Topeka                    | 888-822-2983<br><i>or daytime</i> 785-354-7927<br><i>or evening/wknd.</i> 785-234-3330<br>620-356-2608  |
| Ulysses                   | <i>Harbor House</i> 316-263-6000  |
| Wichita                   | <i>Step Stone</i> 316-265-1611<br><i>Wichita Area Sexual Assault Center</i> 316-263-3002<br><i>YWCA Women's Crisis Center</i> 316-267-SAFE<br>620-221-HELP<br>or 800-794-7672 |

## What You Should Know

You can request that the PFA order be in effect for up to one year. You may file only two PFA petitions within a 12-month period.

Your PFA order is not enforceable until it has been served on the defendant by authorized personnel. If the defendant violates the order before it is served, you can still call the police. The police will not be able to arrest him for violating the order, but they can still protect you.

If the defendant needs to pick up personal property from the home, be prepared to tell the judge when that is convenient for you. The defendant must have a police escort if he needs to come to the home for personal belongings.

The defendant can be ordered to pay child or spousal support. Take time before the second hearing to make a list of expenses and how much you will be asking for. You may be asked to complete this information at the time you file your petition if you are asking for support.

You can ask for court-ordered counseling for the defendant.

If there are children, the Court may require you to file a temporary parenting plan with the petition and/or final order. Be precise about visitation times, location and duration. Avoid vague language such as "reasonable." If you are requesting no visitation or supervised visitation with the defendant, be prepared to explain to the judge why such an order is necessary. The Court may also ask you to provide information about where the children have been living for the last few months.

Your PFA order is enforceable where it is issued and in all other jurisdictions. This includes all 50 states, Indian tribal lands, the District of Columbia, the US Virgin Islands, Puerto Rico, American Samoa, the Northern Mariana Islands and Guam.

Advocates may be available to assist you with the filing of your PFA order, accompany you to court and provide information to you and your children. Call your local domestic violence and/or sexual assault program for assistance.

The information found in this brochure is a summary of the law. For more information or legal advice, you should seek the assistance of an attorney.

**ALWAYS KEEP YOUR COPY OF  
THE PFA ORDER WITH YOU!**

**You and your children  
deserve to be safe.**

Call KCSDV for additional brochures.  
785-232-9784

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The opinions, findings, conclusions, recommendations or points of view expressed in this publication are those of the author, KCSDV, and do not necessarily represent or reflect the official position or policies of the Office of the Kansas Attorney General or the U.S. Department of Justice.

What you need to know about  
**PFA**

**Protection From Abuse Orders  
in Kansas**



**Kansas Coalition Against  
Sexual and Domestic Violence**

# What is a Protection From Abuse Order?

A Protection From Abuse Order (PFA) is a civil court action intended to bring about an end of the abuse toward you and/or your minor child / ren.

To qualify for a Protection From Abuse Order you and the person you want restrained must be intimate partners or household members, meaning you must:

- Be residing together OR
- Have formerly resided together OR
- Be the parent of or living with a child who has suffered abuse by the party you are attempting to restrain OR
- Have a child in common OR
- Be in or have been in a dating relationship AND
- The person has intentionally attempted to cause you or a child bodily injury, or intentionally or recklessly caused bodily injury OR
- The person has intentionally placed, by physical threat, you or a child, in fear of imminent bodily injury OR
- The person has engaged in certain sexual conduct with a child under 16 years of age who is not the spouse of the offender.

## How to Apply for a Protection From Abuse Order

- When the Court is closed, you may be able to obtain the application (petition) for an Emergency Order from your local law enforcement office, usually the Sheriff's Department.
- If you receive an Emergency Order, it will automatically expire at 5:00 p.m. on the next regular workday of the District Court.
- When the Court is open, you may obtain the

application (called a petition) for a Temporary Order from the District Court Clerk's Office.

- The Court Clerk must verify your petition by witnessing your signature.
- You may be asked to talk with a judge about why you think the Protection Order is necessary. In some jurisdictions, the Clerk will present your petition to the judge.
- A Temporary Order is valid for up to 20 days. You must appear for the final hearing in order for the Protection From Abuse Order to be made final.

## What Can Happen Under a Protection From Abuse Order?

When you receive a protection order, the Court is empowered to order any or all of the following things:

1. Restrain the defendant from abusing, molesting or interfering with the privacy or rights of the plaintiff or of any minor children of the parties.
2. Grant possession of the residence or household to the plaintiff to the exclusion of the defendant, unless you are not married and the residence is rented or owned by the abuser only.
3. Require the defendant to provide suitable, alternate housing for the plaintiff and any minor children of the parties.
4. Award custody and establish a parenting plan with regard to minor children.
5. Order a law enforcement officer to evict the defendant from the residence or household.
6. Order support payments by a party for the support of a party's minor child, if the party is the father or mother of the child, or the plaintiff, if the plaintiff is married to the defendant.
7. Award costs and attorney fees to either party.
8. Make provision for the possession of personal property of the parties and order a

law enforcement officer to assist in securing possession of that property, if necessary.

9. Require any person against whom an order is issued to seek counseling to aid in the cessation of abuse.
10. Restrain the defendant from cancelling utility service to the residence for 60 days.
11. Order or restrain any other acts necessary to promote the safety of the plaintiff and the minor children.

## What Is a "Mutual" Order and How Can It Hurt You?

A "mutual" order of protection prohibits BOTH parties from abusing, molesting, or interfering with the privacy or rights of each other. It may order that BOTH parties be refrained from contacting each other.

If a mutual order is issued against you, the petitioner, you may be criminally prosecuted for violating the order. Your batterer could trick you into violating the order so that the police will arrest you and charge you with a crime. The mutual order might be used against you in a custody or divorce case. If you are an immigrant, there may be additional negative consequences to having a mutual order.

In Kansas, there are generally two ways a mutual order may be issued against you. One way is for the defendant to file a counter-petition saying you have abused him, have the petition served on you giving you reasonable notice, and then the court must make findings that you both were primary aggressors and neither of you acted in self-defense. The other way a mutual protection order may be issued against you is if you agree or consent to it.

If a counter-petition is filed against you or you are urged to consent to a mutual order, think seriously about consulting an attorney who can review possible consequences with you.

## In an Emergency Call 911

For support, call the program nearest you (see the tear-off sheet), the Kansas Statewide Hotline **888-END ABUSE (363-2287)**, or the National Domestic Violence Hotline at **800-799-SAFE (7233)**.

## Important Telephone Numbers

Police \_\_\_\_\_

Shelter \_\_\_\_\_

Child Abuse Hotline \_\_\_\_\_

Youth Hotline \_\_\_\_\_

Elder Abuse Agency \_\_\_\_\_

Friend \_\_\_\_\_

Other \_\_\_\_\_

## Take With You ...

- Marriage and Driver's licenses
- Birth certificates – yours and family's
- Money, checkbooks, credit cards, ATM cards, mortgage payment book, car title
- Social Security card, work permit, green card, passport
- Divorce, custody papers and restraining order
- Insurance papers and medical records
- Lease, rental agreement and / or house deed
- School and health records
- Keys – house, car, office, friend's
- Medications, glasses, hearing aids, etc. needed by you and your family
- Personal items – address book, pictures, toys
- Copies of your spouse's immigration information