

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.

JUDGE OF THE DISTRICT COURT

I have read the above information:

Signature

IN THE DISTRICT COURT OF _____ 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 _____ 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 _____

Usual length of hair _____

Eye Color _____

Glasses? _____

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):

ATTACH TO PROTECTIVE ORDERS

IN THE DISTRICT COURT OF _____ COUNTY, KANSAS

_____, Plaintiff

vs.

Case No. _____

_____, Defendant

PETITION FOR PROTECTION FROM STALKING ORDER
(Pursuant to L. 2002, Ch. 141, § 1 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. These minor children are involved in this matter: (give full names and ages)

4. The defendant's name is _____.

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

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. I have/have not filed a police report. (Please circle one.) The case number is _____.

_____.

9. 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)
) ss:
COUNTY OF _____)

_____, 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 _____ 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: _____

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 FROM STALKING

INFORMATION ABOUT DEFENDANT: Race _____ Sex _____
Date of Birth _____ Social Security Number _____

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 L. 2002, Ch. 141, § 1 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.

VIOLATION OF THIS ORDER MAY CONSTITUTE STALKING AS PROVIDED IN K.S.A. 2002 Supp. 21-3438, AND VIOLATION OF A PROTECTIVE ORDER AS PROVIDED IN K.S.A. 2002 Supp. 21-3843.

2. The defendant shall not abuse, molest, or interfere with the privacy rights of the victim, wherever the victim might be.

VIOLATION OF THIS ORDER MAY CONSTITUTE STALKING AS PROVIDED IN K.S.A. 2002 Supp. 21-3438, ASSAULT AS PROVIDED IN K.S.A. 21-3408, BATTERY AS PROVIDED IN K.S.A. 21-3412, AND VIOLATION OF A PROTECTIVE ORDER AS PROVIDED IN K.S.A. 2002 Supp. 21-3843.

3. The defendant shall not enter upon or in the victim's residence or the immediate vicinity thereof.

VIOLATION OF THIS ORDER SHALL CONSTITUTE CRIMINAL TRESPASS AS PROVIDED IN K.S.A. 2002 Supp. 21-3721(a)(1)(C) AND VIOLATION OF A PROTECTIVE ORDER AS PROVIDED IN K.S.A. 2002 Supp. 21-3843.

4. Other: _____

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 RESULT IN PROSECUTION AND

**CONVICTION UNDER KANSAS CRIMINAL STATUTES OR
A FINDING OF CONTEMPT OF COURT WITH A JAIL
SENTENCE.**

IT IS SO ORDERED.

JUDGE OF THE DISTRICT COURT

IN THE DISTRICT COURT OF _____ COUNTY, KANSAS

_____, Plaintiff

vs.

Case No. _____

_____, Defendant

**ORDER OF CONTINUANCE AND EXTENSION OF
TEMPORARY ORDERS OF PROTECTION FROM STALKING**

On this date, _____, this case comes on for hearing as previously set.

The plaintiff appears: in person and pro se
 by his/her attorney _____

The defendant appears: in person and pro se
 by his/her attorney _____

The Court finds that, for good cause shown, the hearing on the petition for protection from stalking orders should be continued to the following date and time: _____.

_____ (CHECK IF APPLICABLE) The Temporary Orders of Protection from Stalking previously entered herein shall remain in full force and effect until further order of the Court.

IT IS SO ORDERED.

JUDGE OF THE DISTRICT COURT

IN THE DISTRICT COURT OF _____ COUNTY, KANSAS

_____, Plaintiff

vs.

Case No. _____

_____, Defendant

FINAL PROTECTION FROM STALKING ORDER

INFORMATION ABOUT DEFENDANT: Race _____ Sex _____
Date of Birth _____ Social Security Number _____

THIS FINAL ORDER SHALL EXPIRE AT MIDNIGHT ON _____ UNLESS
EXTENDED OR MODIFIED BY THIS COURT.

On this date, _____, plaintiff's petition for protective orders comes for
consideration under the provisions of L. 2002, Ch. 141, § 1 et seq.

The plaintiff appears: ___ in person ___ and pro se
___ by his/her attorney _____

The defendant appears: ___ not, but was duly served and is otherwise in default
___ in person ___ and pro se
___ by his/her attorney _____

WHEREAS, the plaintiff filed a verified petition for issuance of protective orders, and the cause
has been heard after duly serving and notifying the defendant, and the plaintiff has proved the allegation of
stalking by a preponderance of the evidence;

IT IS THEREFORE BY THE COURT ORDERED:

1. This final order of protection supersedes any temporary order previously entered by the Court and
serves as notice of termination thereof.
2. The defendant shall not follow, harass, telephone, contact or otherwise communicate with the
victim.

**VIOLATION OF THIS ORDER MAY CONSTITUTE STALKING AS PROVIDED IN
K.S.A. 2002 Supp. 21-3438, AND VIOLATION OF A PROTECTIVE ORDER AS
PROVIDED IN K.S.A. 2002 Supp. 21-3843.**

3. The defendant shall not abuse, molest, or interfere with the privacy rights of the victim, wherever the victim might be.

VIOLATION OF THIS ORDER MAY CONSTITUTE STALKING AS PROVIDED IN K.S.A. 2002 Supp. 21-3438, ASSAULT AS PROVIDED IN K.S.A. 21-3408, BATTERY AS PROVIDED IN K.S.A. 21-3412, AND VIOLATION OF A PROTECTIVE ORDER AS PROVIDED IN K.S.A. 2002 Supp. 21-3843.

4. The defendant shall not enter upon or in the victim's residence or the immediate vicinity thereof.

VIOLATION OF THIS ORDER SHALL CONSTITUTE CRIMINAL TRESPASS AS PROVIDED IN K.S.A. 2002 Supp. 21-3721(a)(1)(C) AND VIOLATION OF A PROTECTIVE ORDER AS PROVIDED IN K.S.A. 2002 Supp. 21-3843.

5. Defendant shall pay costs.

6. _____ (CHECK IF APPLICABLE) Defendant shall pay the following plaintiff's attorney fees:

7. Other: _____

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 RESULT IN PROSECUTION AND CONVICTION UNDER KANSAS CRIMINAL STATUTES OR A FINDING OF CONTEMPT OF COURT WITH A JAIL SENTENCE.

IT IS SO ORDERED.

JUDGE OF THE DISTRICT COURT

IN THE DISTRICT COURT OF _____ COUNTY, KANSAS

_____, Plaintiff

vs.

Case No. _____

_____, Defendant

**MOTION TO MODIFY
PROTECTION FROM STALKING ORDER**

The undersigned party in the above captioned matter moves the court to set a hearing to modify the protection from stalking order entered on _____, _____.

In support of the motion, I request modification of the order by changing it in the following way:

The name, current address and telephone number of the other party where the order for hearing may be served is:

WHEREFORE, I request that the court modify its original order and ask for any other relief the court deems just and equitable. I also request that the court set this matter for hearing.

Movant

Date of hearing: _____

Time: _____

Place: _____

Movant's address

Movant's phone number

NOTE: IF THE MOVANT IS THE PLAINTIFF, DO NOT DISCLOSE THE MOVANT'S ADDRESS.

CERTIFICATE OF MAILING

I hereby certify that I served a copy of the foregoing motion to modify a protection from stalking order by mailing it on the ____ day of _____, _____, as certified mail return receipt requested to the following name and address:

Movant

IN THE DISTRICT COURT OF _____ COUNTY, KANSAS

_____, Plaintiff

vs.

Case No. _____

_____, Defendant

**MOTION TO EXTEND
FINAL PROTECTION FROM STALKING ORDER**

The undersigned party in the above captioned matter moves the court to set a hearing to extend the protection from stalking order entered on _____, _____.

I request extension of the order because of the following continued threat of stalking:

The name, current address and telephone number of the other party where the order for hearing may be served is:

WHEREFORE, I request that the court extend its final order and ask for any other relief the court deems just and equitable. I also request that the court set this matter for hearing.

Movant

Date of hearing: _____

Time: _____

Place: _____

CERTIFICATE OF MAILING

I hereby certify that I served a copy of the foregoing motion to extend a final protection from stalking order by mailing it on the ____ day of _____, _____, as certified mail return receipt requested to the following name and address:

Movant

IN THE DISTRICT COURT OF _____ COUNTY, KANSAS

_____, Plaintiff

vs.

Case No. _____

_____, Defendant

**PROTECTION FROM STALKING
EXTENSION OF FINAL ORDER**

THIS ORDER SHALL EXPIRE AT MIDNIGHT ON _____ UNLESS
EXTENDED OR MODIFIED BY THIS COURT.

On this date, _____, the above captioned matter comes on for hearing on
a motion to extend final order.

The plaintiff appears: ___ in person ___ and pro se
___ by his/her attorney _____

The defendant appears: ___ not and does otherwise default
___ in person ___ and pro se
___ by his/her attorney _____

The court, having reviewed the file, having heard the statements of the parties and the evidence
adduced finds that there is a continued threat of stalking. The court also finds as follows:

IT IS THEREFORE ORDERED BY THE COURT that the protection from stalking final order
entered on _____, _____, be extended for a period of one year.

JUDGE OF THE DISTRICT COURT

IN THE DISTRICT COURT OF _____ COUNTY, KANSAS

_____, Plaintiff

vs.

Case No. _____

_____, Defendant

MOTION TO DISMISS

Comes now _____, plaintiff, and moves the court for an order dismissing the above entitled action without prejudice.

Plaintiff

IN THE DISTRICT COURT OF _____ COUNTY, KANSAS

_____, Plaintiff

vs.

Case No. _____

_____, Defendant

ORDER OF DISMISSAL

On this date, _____, this matter comes on for hearing.

(CHECK AS APPLICABLE)

_____ The plaintiff filed a motion to dismiss, and the Court finds that the above entitled action should be and is hereby dismissed on plaintiff's motion without prejudice.

_____ The plaintiff fails to appear either in person or by counsel, and the Court finds that the above entitled action should be and is hereby dismissed.

_____ The Court finds that the plaintiff has failed to prove the allegations of stalking by a preponderance of the evidence, and that the above entitled action should be and is hereby dismissed.

_____ The Court finds that the plaintiff's petition is without merit.

_____ Plaintiff shall pay the following defendant's attorney fees:

Any temporary orders entered in this case are hereby vacated.

IT IS SO ORDERED.

JUDGE OF THE DISTRICT COURT