



Protection Orders 101: Back to Basics

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About the Kansas Coalition Against Sexual & Domestic Violence (KCSDV)



Statewide Non-Profit



25 DV/SA Member Programs



Advocacy Organization



Public Policy (Laws) Advocacy



Technical (Special) Assistance



Accreditation

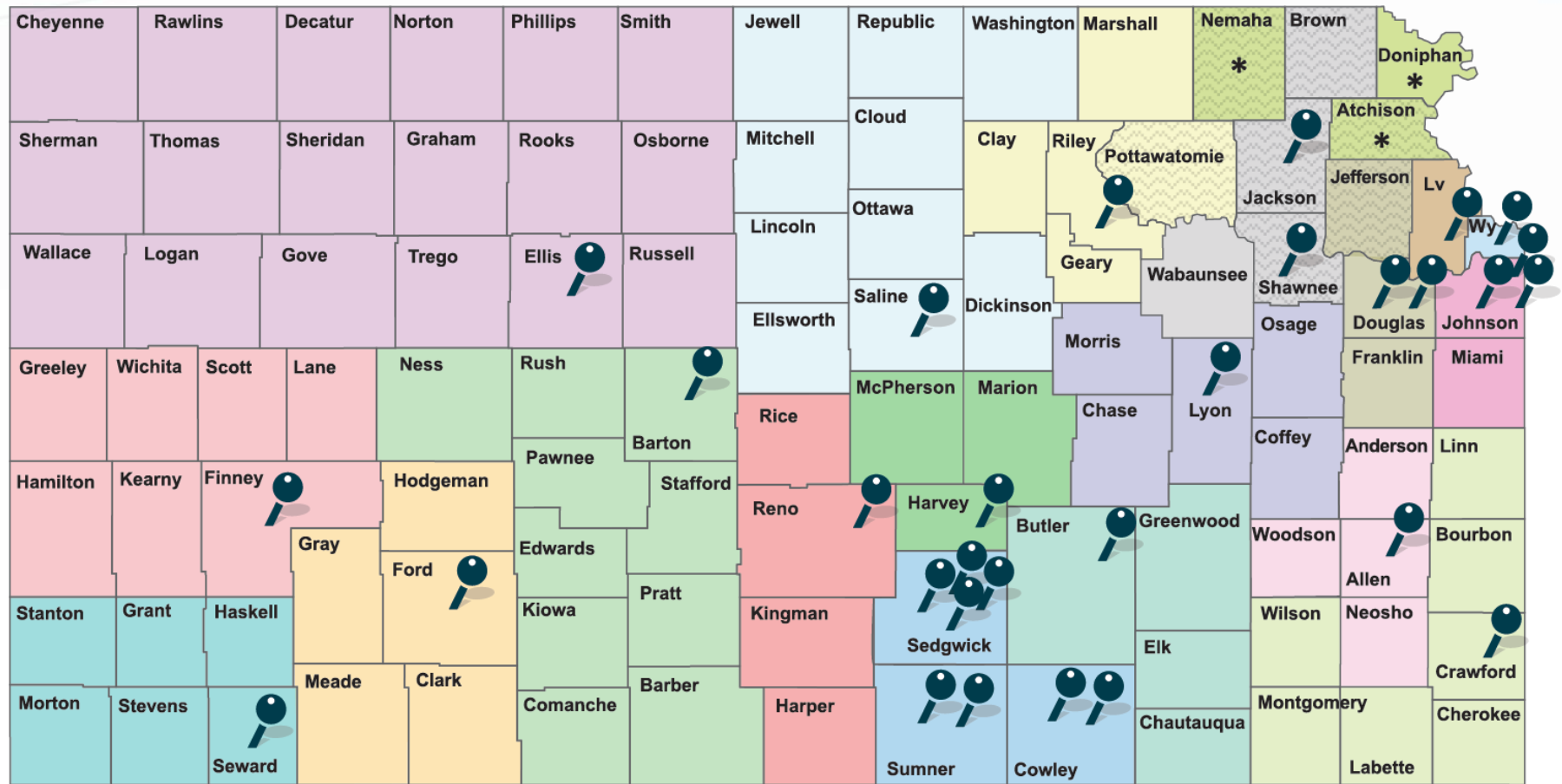


Training



Resource Development

KCSDV Program Service Areas



kcsdv.org

Disclaimer

Information in this presentation is provided as a public service to enhance public education and is accurate as of April 1st, 2024. It is not intended to take the place of any statutory law, regulations or legal guidance documents. The information may be subject to change and should not be considered legal advice.



Take care of yourself!

This topic can be difficult.

Make sure you have opportunities for debriefing. Plan some time to rest and decompress.





Objectives

1. Identify the differences and qualifications between Protection From Abuse and Protections From Stalking, Sexual Assault, and Human Trafficking orders.
2. Determine if a protection order is right with the person you are working with.
3. Demonstrate proper safety planning techniques around protection orders.





**Remembering
Why We Do
This Work**

What is a Protection Order?

a legal document that is issued by a court and is intended to protect a person from abuse by another individual

- Can prohibit the abuser from contacting the victim, going to their home or workplace, possessing firearms, etc.
- Violating a protection order can result in serious legal consequences, including fines, imprisonment or other penalties





**Protection orders
do not guarantee
safety!** Without
enforcement, an
order is just paper.

Safety Planning

There are 3 important questions to ask a victim as they consider a protection order:

- 1** Are they eligible for a protection order?
- 2** Do they think the protection order will make them safer?
- 3** How might a protection order negatively affect them?

Types of Protection Orders

Protection From
Abuse (PFA)

Protection From
Stalking, Sexual
Assault, and Human
Trafficking (PFSSAHT)

Protection From Abuse (PFA) Order

K.S.A. 60-3102

To qualify:

1. Relationship - parties must have had an intimate relationship or been household members, dated or had dated, reside or had resided together, or have a child in common,
2. AND the plaintiff must be a victim of abuse

Protection from Stalking, Sexual Assault, or Human Trafficking (PFSSAHT) Order

K.S.A. 60-31a02

To qualify:

1. The plaintiff must prove by a preponderance of the evidence, or more likely than not, that the alleged acts of stalking, sexual assault, or human trafficking occurred.
2. an intimate relationship is not required

Children and Protection Orders

- Children can be added to a protection order
- If it is by a legal guardian or parent
 - Protection orders that include a child can deal with custody.
 - Risk of consolidation of cases, i.e. custody cases, parenting time cases, divorce



Where can I get a Protection Order Petition?

**County
Clerk's
Office**

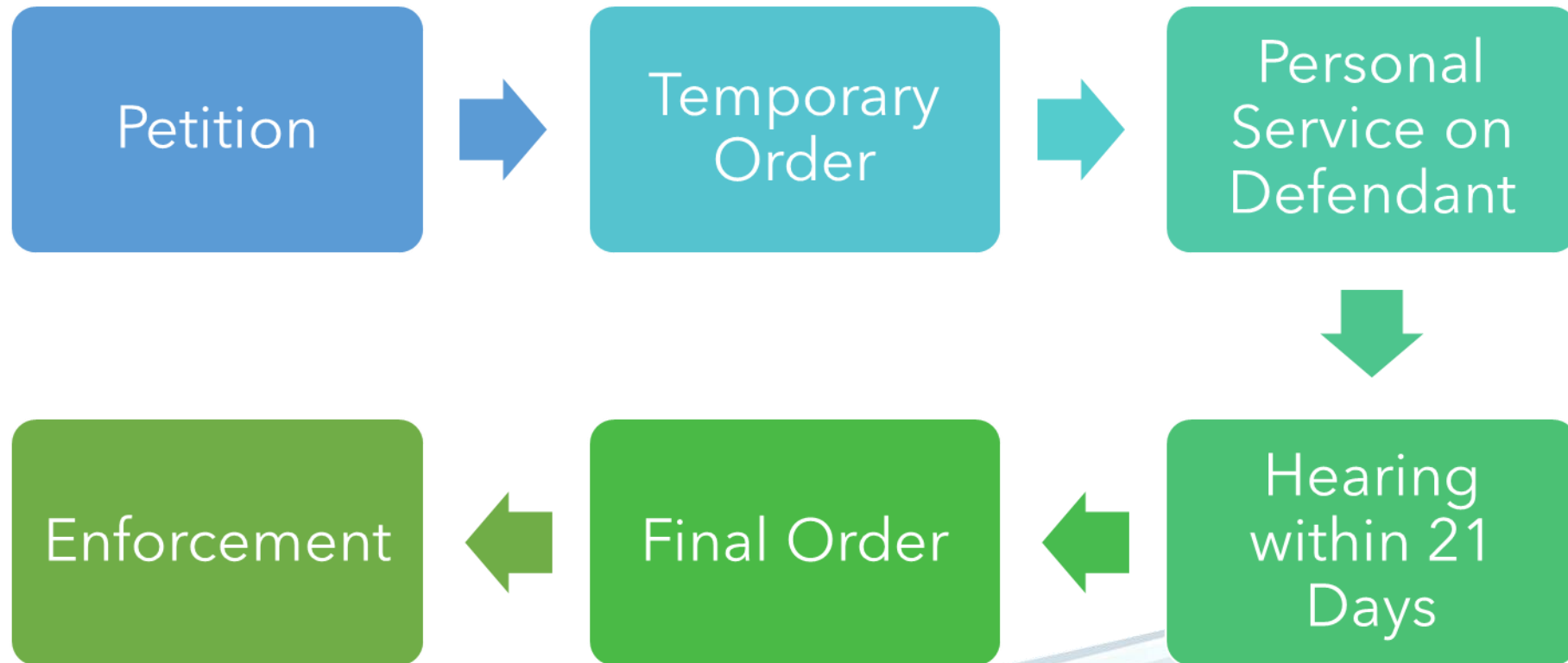
**Kansas
Judicial
Council
Website**

**Domestic
Violence
Advocacy
Programs**

**Kansas
Protection
Order
Portal**



Protection Orders – The Process



Length & Extension of Orders

- Final PFA and PFASSAHT orders can be granted up to 2 years (as of July 1, 2023)
- Motions can be made to extend orders.
 - Up to 3 years for extension (as of July 1, 2023)
 - Possible extension for up to the Lifetime of the Defendant

Questions?





GET EDUCATED!

**Upcoming training
opportunities:**

<https://www.kcsdv.org/train/>



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