

Kansas Laws on Domestic Violence

The laws governing domestic violence in Kansas are found in Kansas Statutes Annotated Chapter 60-3104, which is called the Kansas Protection from Abuse Act. The Act sets forth the requirements and procedures to obtain a protection from abuse order in the state of Kansas. According to Kansas law, protection from abuse orders are issued by district or county courts in Kansas

Temporary Protection From Abuse Order

You obtain a temporary protection from abuse order--PFA--through the clerk of any district or county court in the state of Kansas, according to the Kansas Bar Association. A PFA is obtained after you fill out an affidavit attesting to the abusive behavior. You need to provide the court clerk the current address of the abuser to ensure that the sheriff is able to serve the PFA on that individual.

The court grants a temporary PFA if the judge believes that you or your children face an immediate threat of harm from the alleged abuser. The temporary PFA goes into effect immediately. The temporary PFA remains in force until a hearing is held in regard to your allegations of abuse. Typically, that hearing is held within about 20 days after the issuance of the initial or temporary PFA.Hearing

At the time you obtain a temporary PFA, the court clerk sets your case for a hearing. The hearing is to determine whether you should be granted a permanent PFA. The person you allege of committing abuse is provided notice of the hearing when the temporary order is served on him. Legally he is entitled to present his side of the case to the judge. If the judge believes your contentions to be true, she issues a permanent PFA in your case.

Permanent Protection From Abuse Order

The word permanent when it comes to a PFA in Kansas is something of a misnomer. Typically, the court grants a permanent PFA that remains in force for one year. However, at the expiration of that initial time period, the court will renew the order for an additional period of time at your request. The permanent PFA is designed to prevent your abuser from any contact with you whatsoever.

Scope of Order

A PFA in Kansas not only protects you from further contact by the abuser but can extend to your children as well, according to the Kansas Bar Association. You must demonstrate that the abuser is a threat to the children. If the abuser is the father of the children, the court will be faced with determining whether the father is entitled to any visitation. In some cases the court will order eventual supervised visitation, usually after the abuser undergoes some sort of treatment, counseling or therapy.

References

Kansas Bar Association: Domestic Violence

Kansas Judicial Branch: The Impact of Domestic Abuse on Children, and Resources for Addressing Domestic Abuse

Kansas Legislature: Protection from Abuse Act