

Kansas Domestic & Sexual Violence Helpline Numbers

Kansas Statewide Hotline 1-888-END ABUSE

Atchison / Hiawatha	913-367-0363 or 800-367-7075
Coffeyville	800-794-9148
Dodge City	620-225-6510
El Dorado	316-321-7104 or 800-870-6967
Emporia	620-342-1870 or 800-825-1295
Garden City	620-275-5911
Great Bend	620-792-1885
Hays / Goodland	785-625-3055 or 800-794-4624
Hutchinson / McPherson	620-663-2522 or 800-701-3630
Iola	620-365-7566
Kansas City <i>Friends of Yates, Joyce Williams</i>	913-321-0951
	<i>MOCSA</i> 816-531-0233
	<i>Metro-wide</i> 816-Hotline
Lawrence <i>Rape Victim/Survivor Services</i>	785-841-2345
<i>Women's Transitional Care Services</i>	785-843-3333 or 800-770-3030
Leavenworth	913-682-9131 or 800-644-1441
Liberal	620-624-8818
Manhattan / Junction City	785-539-2785 or 800-727-2785
Mayetta	888-966-2932
Newton	316-283-0350 or 800-487-0510
Overland Park	913-262-2868 <i>Metro-wide</i> 816-Hotline
	<i>Miami County</i> 888-432-4300
Pittsburg	800-794-9148
Reserve	785-742-0053
Salina	800-874-1499
Topeka	<i>daytime</i> 785-354-7927 <i>or evening & wknds.</i> 785-234-3330 or 888-822-2983
Ulysses	620-356-2608
Wichita	<i>Harbor House</i> 316-263-6000 <i>Step Stone</i> 316-265-1611 <i>Wichita Area Sexual Assault Center</i> 316-263-3002 <i>YWCA Women's Crisis Center</i> 316-267-SAFE
Winfield	620-221-HELP or 800-794-7672

What Are Some Other Things I Should Know?

Your PFS order is not enforceable until it has been served on the defendant. If the defendant violates the order before it is served, you can still call law enforcement. The law enforcement officer will not be able to arrest the defendant for violating the order, but they can still protect you and may arrest the defendant for other illegal conduct.

Your PFS order is only a piece of paper. It will not protect you if your stalker should decide to physically attack you. You should seriously consider having a safety plan for you and your children.

Advocates may be available to help you with the filing of your PFS petition, may be able to accompany you to court, can provide you with information about stalking, and can help you with safety planning. Call your local sexual assault or domestic violence program for assistance.

The Stalking Resource Center can also provide you with information on stalking. The web address is www.ncvc.org/src/ or you may call 1-800-394-2255.

The information in this brochure is a summary of the Protection from Stalking Act. For more information on this law or for legal advice, you should seek the assistance of an attorney.

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

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

Call KCSDV for additional brochures.
785-232-9784

This brochure may be downloaded from
www.kcsdv.org/pfs.pdf

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04/03

What you need to know about

PFS

Protection From Stalking Orders in Kansas



**Kansas Coalition Against
Sexual and Domestic Violence**

www.kcsdv.org

What is a Protection From Stalking Order?

A protection from stalking (PFS) order is a civil court order that is intended to protect a victim of stalking.

You do not have to have a prior or current personal relationship with the person you want restrained, but you do have to prove that the person is stalking you.

The Protection from Stalking Act (PFSA) contains three definitions that are important to consider if you want to file for a PFS order.

First, "stalking" is defined as the "intentional harassment of another person that places the other person in reasonable fear for that person's safety."

Second, "harassment" is 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."

Finally, stalking and harassment must include a "course of conduct" on the part of the stalker, consisting of two or more separate acts over a period of time, however short, showing a "continuity of purpose" that would cause a reasonable person to suffer substantial emotional distress.

These three definitions should be read together when considering whether you qualify for a PFS order.

How do I Apply for a Protection From Stalking Order?

You may get an application or petition form for a PFS order from the district court clerk's office located at your local courthouse.

The petition must be filed in the county where the stalking occurred.

There is no cost for getting a PFS order.

If you are a parent or an adult living with a child who is being stalked, you may apply for a PFS order for the minor.

At a minimum, the petition must include the following:

- Your name
- The name of the stalker/defendant
- The dates on which the alleged stalking behavior occurred AND
- The acts committed by the stalker/defendant that are alleged to be stalking

After filling out the petition, you must sign it in front of the court clerk so that your signature can be verified.

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 and will let you know if it has been granted.

If the temporary order is granted, it will be good for up to 20 days. You will be given a date and time for the final hearing. Even if you are not granted a temporary order, you can still request a hearing.

It is important to remember that you must appear at the final hearing if you want the judge to consider keeping the protection order in place. If you do not want the order to continue, you should contact the court in writing to have the case dismissed.

At the final hearing, you will be asked to appear and provide evidence about why you need a PFS order. This evidence might include the dates and times that you were stalked, letters or notes that you received from the defendant, how the stalking behavior has made you feel, or any other evidence showing you were intentionally harassed and placed in fear for your personal safety.

The defendant will be given notice of the final hearing. If the defendant attends the hearing, he will also be allowed to present evidence.

At the end of the final hearing the judge will decide whether to grant your request for a protection from stalking order.

ARE YOU BEING STALKED?

- If you believe you are in danger, consider what might be safe places for you to go, such as police stations, residences unknown to the stalker, domestic violence shelters, churches, or public areas where the stalker might be less inclined to make a disturbance. **Call 911.**
- Document the stalking, including times, dates, locations, witnesses, and photos.
- Keep a list of important telephone numbers readily available.
- Formulate a safety plan, including keeping extra necessities at another location and contacting critical people about the stalking.

What Can Happen Under a Protection From Stalking Order?

When you are granted a PFS order, the Court may order any or all of the following things:

1. Restrain the defendant from following, harassing, telephoning, contacting or otherwise communicating with the victim.
2. Restrain the defendant from abusing, molesting, or interfering with the privacy rights of the victim.
3. Restrain the defendant from entering upon or in the victim's residence or the immediate vicinity thereof.
4. Order or restrain any other acts deemed necessary by the court to protect the victim of stalking.

How Long Does the Final PFS Order Last?

The judge may issue a final PFS order that is good for up to a year. If you want to have the order extended for another year, before the order expires you must file a motion with the court asking for the extension and telling the court why you think there is a continuing need for the PFS order. The clerk of the district court will have the form you will need to file this motion.