

2021 Kansas Statutes

60-31a04. Commencement of proceedings; persons seeking relief on behalf of minor; forms; no docket fee; confidentiality exceptions. (a) A person may seek relief under the protection from stalking, sexual assault or human trafficking act by filing a verified petition with any judge of the district court or clerk of the court. A verified petition must allege facts sufficient to show the following:

- (1) The name of the stalking victim, sexual assault victim or human trafficking victim;
- (2) the name of the defendant;
- (3) the dates on which the alleged stalking, sexual assault or human trafficking behavior occurred; and
- (4) the acts committed by the defendant that are alleged to constitute stalking, sexual assault or human trafficking.

(b) The following persons may seek relief under the protection from stalking, sexual assault or human trafficking act on behalf of a minor child by filing a verified petition with the judge of the district court or with the clerk of the court in the county where the stalking, sexual assault or human trafficking occurred: (1) A parent of the minor child; (2) an adult residing with the minor child; or (3) the child's court-appointed legal custodian or court-appointed legal guardian.

(c) The following persons may seek relief for a minor child who is alleged to be a human trafficking victim under the protection from stalking, sexual assault or human trafficking act on behalf of the minor child by filing a verified petition with any district judge or with the clerk of the court alleging acts committed by an individual that are alleged to constitute human trafficking: (1) A parent of the minor child; (2) an adult residing with the minor child; (3) the child's court-appointed legal custodian or court-appointed legal guardian; (4) a county or district attorney; or (5) the attorney general.

(d) The clerk of the court shall supply the forms for the petition and orders, which shall be prescribed by the judicial council.

(e) Service of process served under this section shall be by personal service. No docket fee shall be required for proceedings under the protection from stalking, sexual assault or human trafficking act.

(f) The victim's address and telephone number shall not be disclosed to the defendant or to the public, but only to authorized court or law enforcement personnel and to the commission on judicial performance in the discharge of the commission's duties pursuant to article 32 of chapter 20 of the Kansas Statutes Annotated, and amendments thereto.

History: L. 2002, ch. 141, § 4; L. 2008, ch. 145, § 12; L. 2012, ch. 138, § 6; L. 2017, ch. 66, § 6; L. 2018, ch. 110, § 7; July 1.