

Missouri's Adult Abuse Act provides protective relief for victims of domestic violence and stalking. However, to receive an "Order of Protection" under this act, you must initiate a civil lawsuit by filing a petition with the court. The information below is important for you to know.

WHEN CAN YOU FILE?

Under Missouri's Adult Abuse Act, you can file an action to prohibit a person from abusing or stalking you. You do not need the help of an attorney to file this action, however you must meet the following requirements:

1. AGE - You and the person you are filing against must both be:
 - a. 17 years or older, or
 - b. "emancipated"; (married, in the armed services, etc.)
2. RELATIONSHIP - You must now be, or, formerly have been: (any one of the following)
 - a. married;
 - b. adults related by blood or marriage;
 - c. adults living together;
 - d. adults who have a child in common regardless of whether you have been married or have resided together at any time;
 - e. adults who have been in a continuing social relationship of a romantic or intimate nature; or
 - f. the victim of stalking.
3. ABUSE - You must have been abused or stalked in order to receive an order of protection. The Adult Abuse Act states that you have been abused if another adult has: (any one of the following)
 - a. placed you in fear of physical harm;
 - b. caused you actual physical harm;
 - c. compelled you to engage in conduct from which you have a right to abstain or compelled you to abstain in conduct in which you have the right to engage;
 - d. engaged in a purposeful course of conduct involving more than one incident that alarms or causes you distress;
 - e. caused you to engage involuntarily in any sexual act by force or threat of harm

The Adult Abuse Act states that you have been stalked when an adult repeatedly harasses or follows you with the intent to harass.

WHERE DO YOU FILE? (venue)

You may file an action:

- (a) in the county where you live; or
- (b) in the county where the abuse or stalking occurred; or
- (c) in the county where the adult who has abused or stalked you can be found.

Assistance in the filing of your adult (or child) abuse action is available at two courthouses in Jackson County . If proper venue in your case lies on the western side of Jackson County (Kansas City , Grandview , etc.) file your request for protection at the Jackson County Courthouse in downtown Kansas City , located at **415 E. 12th Street; Kansas City, MO** If proper venue lies on the eastern side, (Blue Springs , Independence , Raytown , Lee's Summit , etc.) file your request at the Jackson County Courthouse in Independence , located at **308 W. Kansas St.; Independence, MO**

HOW MUCH DOES IT COST TO FILE?

There is no fee.

WHAT IS THE PROCEDURE FOR FILING AN ADULT ABUSE ACTION?

First you file a "PETITION FOR ORDER OF PROTECTION". The petition tells the judge why you believe you are entitled to an order of protection.

WHAT HAPPENS ONCE YOU'VE COMPLETED THE PAPERWORK?

EX PARTE ORDER OF PROTECTION

Your petition and other paperwork is presented to a judge for review. If the judge finds there is an immediate and present danger of abuse to you, the court will issue an EX PARTE ORDER OF PROTECTION. The ex parte order of protection is effective for no more than two weeks, at which time a hearing is held with all parties present. An ex parte order of protection can provide for temporary custody of minor children.

SUMMONS

In some situations, the judge after reviewing your petition, may not find evidence of immediate and present danger and therefore does not issue an Ex Parte Order of Protection.

However, in most instances, you may still request a hearing regarding your alleged abuse. This means that although no immediate protection will be ordered, a hearing will be held at a later date (usually within two weeks) to determine whether a Full Order of Protection should be issued.