

Chairperson Patton and Members of the House Committee on Judiciary,

The Kansas Coalition Against Sexual and Domestic Violence (KCSDV) is a statewide non-profit organization whose membership includes 25 sexual and domestic violence programs serving victims across Kansas. KCSDV provides information, training, and analysis on issues impacting victims of domestic and sexual violence, their families, and their communities.

KCSDV member programs are committed to providing quality services to victims of sexual assault and domestic violence, empowering victims to live independently without the ongoing fear of violence, and to help victims secure resources necessary for a safe and healthy future.

Service of process in protection order cases is an issue of safety and access to justice. Currently, personal service – or in-hand delivery of a summons to the opposing party by a person authorized by the law – is required for domestic violence, sexual assault, stalking, and human trafficking victims seeking protection orders in Kansas.

The current service requirement places a dangerous burden on petitioners. Notifying an abuser that an order of protection has been filed heightens a victim's level of danger and lethality. Legal protection may be denied because of a victim's inability to personally serve their abuser.

The Violence Against Women Act (VAWA) requires law enforcement agencies to serve protection order petitions without charging fees to petitioners. Sheriff departments often take on this role. However, due to the sheer volume of protection order cases and defendants evading service, personal service is not guaranteed, even after multiple attempts by law enforcement. This results in more than one-third of protection order cases being continued or dismissed for lack of personal service.

Dismissing or continuing protection order cases for lack of personal service is dangerous because abusers intentionally evade service yet continue to stalk, threaten, abuse, or present an ongoing danger to the victim.

HB 2185 expands the use of alternative methods of service beyond personal service. Alternative methods of service are necessary to increase both victim safety and notice to the defendant of the protection order case.

KCSDV respectfully urges the committee to recommend HB 2185 favorably.

Sincerely submitted on behalf of KCSDV,



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