

403.750 Court orders -- Amendment.

- (1) Following the hearing provided for under KRS 403.740 and 403.745, the court, if it finds from a preponderance of the evidence that an act or acts of domestic violence and abuse have occurred and may again occur, may:
 - (a) Restrain the adverse party from any contact or communication with the petitioner except as directed by the court;
 - (b) Restrain the adverse party from committing further acts of domestic violence and abuse;
 - (c) Restrain the adverse party from disposing of or damaging any of the property of the parties;
 - (d) Restrain the adverse party from going to or within a specified distance of a specifically described residence, school, or place of employment of the petitioner, minor child of the petitioner, family member, or member of an unmarried couple protected in the order;
 - (e) Direct the adverse party to vacate the residence shared by the parties to the action;
 - (f) Utilizing the criteria set forth in KRS 403.270, 403.320, and 403.822, award temporary custody;
 - (g) Utilizing the criteria set forth in KRS 403.211, 403.212, and 403.213, award temporary support;
 - (h) Direct that either or both parties receive counseling services available in the community, except that the court shall not order or refer the parties to participate in mediation for resolution of the issues alleged in the petition filed pursuant to KRS 403.715 to 403.785;(i) Restrain the adverse party from approaching the petitioner or a minor child of the petitioner within a distance specified in the order, not to exceed five hundred (500) feet; or
 - (j) Except for ordering the use of a global positioning monitoring system, which shall not be utilized until after a court determines that a substantial violation of a domestic violence order has occurred, enter other orders the court believes will be of assistance in eliminating future acts of domestic violence and abuse.
- (2) Any order entered pursuant to this section shall be effective for a period of time, fixed by the court, not to exceed three (3) years and may be reissued upon expiration for an additional period of up to three (3) years. The number of times an order may be reissued shall not be limited. With respect to whether an order should be reissued, any party may present to the court testimony relating to the importance of the fact that acts of domestic violence or abuse have not occurred during the pendency of the order.
- (3) Upon proper filing of a motion, either party may seek to amend a domestic violence order.
- (4) When temporary child support is granted under the provisions of this section, the court shall enter an order detailing how the child support is to be paid and collected.

The enforcement procedures for child support orders, entered pursuant to KRS 403.211, 403.212, and 403.213, including but not limited to 403.215, shall be available to temporary child support orders issued under KRS 403.715 to 403.785.

- (5) Any order entered pursuant to this section restraining a party or parties to an action shall be issued without bond being required of the petitioner.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 170, sec. 5, effective July 15, 2010. -- Amended 2004 Ky. Acts ch. 133, sec. 45, effective July 13, 2004. -- Amended 1996 Ky. Acts ch. 99, sec. 2, effective July 15, 1996. -- Amended 1992 Ky. Acts ch. 172, sec. 8, effective July 14, 1992. -- Amended 1990 Ky. Acts ch. 418, sec. 6, effective July 13, 1990. -- Created 1984 Ky. Acts ch. 152, sec. 8, effective July 13, 1984.