

403.727 Orders of protection involving minors -- Procedures.

- (1) Any petition filed under KRS 403.725 on behalf of a minor who is alleged to be a victim of domestic violence and abuse, or in which a minor is named as a respondent or petitioner, shall comply with the requirements in that section and shall:
 - (a) Proceed in accordance with the procedural safeguards under KRS 610.070; and
 - (b) Conform to the confidentiality provisions under KRS 610.340.
- (2)
 - (a) If the court orders an evidentiary hearing under KRS 403.730(1)(a), a guardian ad litem shall be appointed for any unrepresented minor who is a respondent to the action or a petitioner who is an alleged victim of domestic violence and abuse.
 - (b) The guardian ad litem shall be paid a fee fixed by the court not to exceed five hundred dollars (\$500), which shall be paid by the Finance and Administration Cabinet.
- (3) A victim advocate as defined in KRS 421.570:
 - (a) Shall be permitted to attend the evidentiary hearing to offer advocacy services pursuant to KRS 421.575 to the minor petitioner or the adult who has filed the petition on behalf of the minor; and
 - (b) Shall not be excluded from the evidentiary hearing unless the:
 1. Minor petitioner or adult who has filed the petition on behalf of the minor declines the services offered; or
 2. Court, upon motion and for good cause shown, determines that the exclusion is in the best interests of the minor petitioner.
- (4) Violation of the terms or conditions of an order of protection issued under KRS 403.740 after the person has been served or given notice of the order shall constitute contempt of court and may constitute a criminal offense pursuant to KRS 403.763 if the offender is an adult or a public offense under KRS 600.020 if the offender is a juvenile. Once a juvenile action or contempt proceeding has been initiated, the other shall not be undertaken regardless of the outcome of the original proceeding.
- (5) Nothing in subsection (4) of this section shall preclude the Commonwealth from proceeding, or the petitioner from pursuing charges, against the minor respondent for offenses other than a violation of an order of protection. Proceedings against a minor respondent for offenses other than a violation of an order of protection shall proceed:
 - (a) In the juvenile session of District Court; and
 - (b) In accordance with the procedural and statutory provisions established for the juvenile session of District Court.

Effective: July 15, 2026

History: Amended 2026 Ky. Acts ch. 92, sec. 6, effective July 15, 2026. -- Created 2024 Ky. Acts ch. 135, sec. 2, effective July 15, 2024.