

1 AN ACT relating to protective orders involving minors.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 456 IS CREATED TO  
4 READ AS FOLLOWS:

5 *(1) Any petition filed under KRS 456.030 on behalf of a minor who is an alleged*  
6 *victim of dating violence and abuse, sexual assault, or stalking, or in which a*  
7 *minor is named as a respondent or petitioner, shall comply with the requirements*  
8 *in that section and shall:*

9 *(a) Proceed in accordance with the procedural safeguards under KRS 610.070;*

10 *and*

11 *(b) Conform to the confidentiality provisions under KRS 610.340.*

12 *(2) If the court orders an evidentiary hearing under KRS 456.040(1)(a), a guardian*  
13 *ad litem shall be appointed for any unrepresented minor who is a respondent to*  
14 *the action or a petitioner who is an alleged victim of dating violence and abuse,*  
15 *sexual assault, or stalking. The guardian ad litem shall be paid a fee fixed by the*  
16 *court not to exceed five hundred dollars (\$500), which shall be paid by the*  
17 *Finance and Administration Cabinet.*

18 *(3) Violation of the terms or conditions of an order of protection issued under KRS*  
19 *456.060 after the person has been served or given notice of the order shall*  
20 *constitute contempt of court and may constitute a public offense under KRS*  
21 *600.020(51). Once a juvenile action or contempt proceeding has been initiated,*  
22 *the other shall not be undertaken regardless of the outcome of the original*  
23 *proceeding.*

24 *(4) Nothing in subsection (3) of this section shall preclude the Commonwealth from*  
25 *proceeding, or the petitioner from pursuing charges, against the minor*  
26 *respondent for offenses other than a violation of an order of protection.*  
27 *Proceedings against a minor respondent for offenses other than a violation of an*

1 order of protection shall proceed:

2 (a) In the juvenile session of District Court; and

3 (b) In accordance with the procedural and statutory provisions established for  
4 the juvenile session of District Court.

5 (5) Proceedings for contempt of court against a minor under KRS Chapter 456 shall  
6 proceed in the juvenile session of District Court subject to the requirements  
7 contained in KRS 610.265 and 630.080 and shall be held in the county where:

8 (a) The child is living;

9 (b) The child is found;

10 (c) The petition for the interpersonal protective order was filed; or

11 (d) The interpersonal protective order was issued.

12 ➔SECTION 2. A NEW SECTION OF KRS 403.715 TO 403.785 IS CREATED  
13 TO READ AS FOLLOWS:

14 (1) Any petition filed under KRS 403.725 on behalf of a minor who is alleged to be a  
15 victim of domestic violence and abuse, or in which a minor is named as a  
16 respondent or petitioner, shall comply with the requirements in that section and  
17 shall:

18 (a) Proceed in accordance with the procedural safeguards under KRS 610.070;  
19 and

20 (b) Conform to the confidentiality provisions under KRS 610.340.

21 (2) If the court orders an evidentiary hearing under KRS 403.730(1)(a), a guardian  
22 ad litem shall be appointed for any unrepresented minor who is a respondent to  
23 the action or a petitioner who is an alleged victim of domestic violence and abuse.  
24 The guardian ad litem shall be paid a fee fixed by the court not to exceed five  
25 hundred dollars (\$500), which shall be paid by the Finance and Administration  
26 Cabinet.

27 (3) Violation of the terms or conditions of an order of protection issued under KRS

1 403.740 after the person has been served or given notice of the order shall  
2 constitute contempt of court and may constitute a public offense under KRS  
3 600.020(51). Once a juvenile action or contempt proceeding has been initiated,  
4 the other shall not be undertaken regardless of the outcome of the original  
5 proceeding.

6 (4) Nothing in subsection (3) of this section shall preclude the Commonwealth from  
7 proceeding, or the petitioner from pursuing charges, against the minor  
8 respondent for offenses other than a violation of an order of protection.  
9 Proceedings against a minor respondent for offenses other than a violation of an  
10 order of protection shall proceed:

11 (a) In the juvenile session of District Court; and

12 (b) In accordance with the procedural and statutory provisions established for  
13 the juvenile session of District Court.

14 (5) Proceedings for contempt of court against a minor under KRS Chapter 403 shall  
15 proceed in the juvenile session of District Court subject to the requirements  
16 contained in KRS 610.265 and 630.080 and shall be held in the county where:

17 (a) The child is living;

18 (b) The child is found;

19 (c) The petition for the order of protection was filed; or

20 (d) The order of protection was issued.