

IN THE DISTRICT COURT OF _____ COUNTY, KANSAS
SMALL CLAIMS PROCEDURE

PLAINTIFF (Name, Address, and Telephone Number)

vs.

DEFENDANT (Name, Address, and Telephone Number)

Case No. _____

PETITION Pursuant to Chap. 61 of K.S.A.

TO PLAINTIFF: Read instructions on page two of this form. Set forth a short and plain statement of claim below.

Plaintiff, having read the instructions on the bottom of the petition, asserts the following claim against the above named defendant(s):

Based on the claim stated above, judgment is demanded against defendant (s) as follows: (check one of the applicable provisions)

Payment of \$ _____, plus interest, costs and any other damages awarded under K.S.A. 60-2610.

Recovery of the following described personal property, plus costs-estimated value of property \$ _____. (Not to exceed \$4,000.00)

The plaintiff, hereby swears that, to the best of his/her knowledge and belief, the above claim asserted against the defendant(s) (including the estimate of value of any property sought to be recovered) is a just and true statement, exclusive of any valid claim or defense which defendant(s) may have. **Subscribed and sworn to before me on _____, 20 ____.**

* Request for Service by _____ County
Sheriff's Department

PERSONAL _____
OR
CERTIFIED MAIL _____

Plaintiff's Signature

Judge - Clerk - Deputy - Notary

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The trial on this matter is set for _____, 20_____,
at _____: _____ A.M., at _____ COUNTY DISTRICT COURT at _____

TO THE SHERIFF:

The summons must be served and your return of service made promptly in any event, your return is due no later than **three** **five days** before the date stated in the summons for the defendant to appear.

INSTRUCTIONS TO PLAINTIFF

1. State the claim you have against the defendant(s) in the space provided on the petition form, Be clear and concise.
2. Your total claim against defendant may not exceed \$4,000.00 not including interest, costs and any damages awarded under K.S.A. 60-2610. If you are seeking the recovery of personal property, the value of that property shall be based on your estimate of its value under oath.
3. You must be present in person at the hearing in order to avoid default judgment against you on any claim defendant(s) may have which arises out of the transaction or occurrence which is the subject of your claim against the defendant(s).
4. You must make demand for judgment in the spaces provided on the petition form.
5. Neither you nor the defendant(s) are permitted to appear with an attorney at the hearing.
6. You may not file more than twenty (20) small claims under the small claims procedure act in this court during any calendar year.
7. After completing the petition form, you must subscribe to the oath and your signature notarized.

SCPETITION.WPD