

handle the proceeding in that manner, the Sheriff will deliver or serve a copy of the Petition to your spouse. Your spouse will then have twenty (20) days if it is in-state service, or thirty (30) days if it is out-of-state service, in which to answer or oppose the relief requested in the Petition.

Domestic Relations Affidavit. A Domestic Relations Affidavit shall be filed with the Clerk of the District Court at the time of the filing of the Petition for divorce or before the hearing date.

Hearing Date. Kansas law provides that, unless there is a reason for acceleration, a divorce shall not be heard prior to the expiration of sixty (60) days from the date on which the petition for divorce is filed. Your case will be assigned to a District Judge. The judge's office or clerk can provide you with specific hearing dates.

As the petitioner you are required to send notice of the hearing to your spouse. Proof of this notice of hearing will have to be filed in your case prior to your divorce hearing.

On the day of the hearing you will be required to bring with you all documents required under Rule 23.5. Failure to comply will result in the decree not being filed and you will not be divorced.

Contested vs. Uncontested Divorce. The divorce will be considered contested unless both parties agree on all aspects of the property division, the payment of obligations and the payment of court costs. If one party disputes any of these issues the divorce will be considered contested. In either case a trial before the court is required and sworn testimony will need to be received. In the case of an uncontested divorce the hearing will be brief and shall be set for hearing on the assigned judge's regular docket day after the expiration of the required sixty (60) days. A contested divorce will need to be specially scheduled with the assigned judge. If issues concerning children are involved the parties must seek the advice and assistance of an attorney.

Name Change. The name of either party can be changed in the Divorce Decree if he or she took the name of the other spouse at the time of marriage and now wants to be returned to either a former or maiden name.

Forms. The following forms shall be utilized. (See appendix E)

**RULE 25
COURT COMPLIANCE WITH SUPREME
COURT RULES 172 AND 173**

The District Judges and District Magistrate Judge of this District are appointed to

preside as hearing officers in matter referred to them pursuant to Supreme Court Rule 172 to provide expedited judicial process in this district, and to preside as hearing officers as summary hearings relating to the establishment, modification, or enforcement of support pursuant to the Kansas Parentage Act, 1985 Session Laws, Chapter 114, K.S.A. 23-451, et seq., 39-718a, 39-755, or 60-1610, K.S.A. 2984 Supp. 38-1542, 38-1542, or 38-1563 or 1985 Session Laws, Chapter 115, Section 1 through 27, and enforcement of parent visitation rights.

The Chief Judge shall have authority pursuant to Rule 172 to appoint a hearing officer to conduct hearings for expedited judicial process pursuant to said rule. All orders entered by said hearing officer shall be approved by a district judge.

The Chief **Clerk** shall monitor cases subject to Rule 172 in order to ensure that any action to modify or enforce support obligations are completed from time of filing to time of deposition within the following time frames:

- (a) 90% in 90 days
- (2) 98% in 180 days
- (3) 100% in 365 days

The Chief Clerk shall monitor cases subject to expedited judicial process in order to ensure that any action to establish parentage or support obligations are completed from time of filing to time of disposition within the following time frames:

- (a) 75% in 270 days
- (b) 85% in 365 days
- (c) 90% in 455 days

The expedited judicial process mandated by Supreme Court Rule 173 shall be that the Clerk, upon receipt of a filing addressed by Supreme Court Rule 173, shall bring it to the attention of the judge then most available for immediate disposition in conformance with the law.

RULE 26

MEDICAL MALPRACTICE SCREENING PANEL

Any party filing a request for medical malpractice screening panel shall file with the request:

A short statement explaining the basic medical failures alleged

