

**RULE 30**  
**EXTENDED JURISDICTION FOR JUVENILE PROSECUTION**

Upon designation as an extended jurisdiction juvenile prosecution pursuant to K.S.A. 58-1636(f)(2), proceedings shall be transferred forthwith to a district judge (if not already so assigned) for scheduling in due course with the adult criminal process. The respondent shall be entitled to the full protection of the Kansas Code of Criminal Procedure. The district judge of assignment shall schedule a Preliminary Examination (if not previously held or waived) and such further hearings as necessary to facilitate trial by jury and timely prosecution of the pending charges. In the event of a conviction the case shall remain with the assigned judge for imposition of both an adult and juvenile sanction unless otherwise transferred by order of the chief judge.

**RULE 31**  
**COMPLIANCE WITH K.S.A. 39-1655**

It shall be the duty of the Clerk of the District Court to forward to the superintendent of the school district in which a juvenile offender is enrolled or is to be enrolled, copies of adjudications pursuant to K.S.A. 39-1655.

**RULE 32**  
**LIMITED ACTIONS PRACTICE**

- 32.1 **Answer Dates.** All answer dates in Chapter 61 cases will be on dates established by the Clerk of the District Court. If the defendant fails to appear or answer, default judgment as prayed may be entered against the defendant. Continuance of answer dates will not be granted. A written general denial is subject to K.S.A. 61-1706, K.S.A. 60-208(b) and K.S.A. 60-211, and amendments thereto.
- 32.2 **Continuances.** Except to prevent manifest injustice, continuances of a trial setting will only be granted upon written motion and order of the court entered prior to the scheduled time of trial or upon the joint request of all parties. Continuances of a trial setting will not be granted ex parte.
- 32.3 **Journal Entries.** Court files scheduled for hearing will be available to counsel at the answer date. It will be counsel's responsibility to ascertain the status of service of process and present the file to the court along with a proposed Journal Entry/Judgment Form reflecting service, appearances and the proposed judgment to be entered, if appropriate. Unless otherwise directed by the court, a Journal Entry/Judgment Form shall be presented to the court at the time the case is called.
- 32.4 **Post Judgment Activity.** The plaintiff's attorney or an authorized representative of plaintiff's attorney and all defendants are required to appear for all post-judgment activity unless said appearance is excused by the court.

- 32.5 **Eviction Cases.** Trial dates in eviction cases shall be given upon the filing of an answer. All other trial dates may at the direction of the court be assigned at the answer date. It shall be the responsibility of the plaintiff to timely prosecute the case.
- 32.6 **Continuing Effect of Aid in Execution Citations.** Aids in execution or citations properly serviced shall not be continued by the Court unless agreed to by all parties or ordered by the Court. The Court has authorized “order backs” in proceedings in aid of execution not more often than every eight (8) weeks except in exceptional circumstances.
- 32.7 **Signed Pleadings.** All Chapter 60 and Chapter 61 aids, citations and post judgment papers may bear a computer generated, stamped, or facsimile signature of the attorney.
- 32.8 **Automobile Negligence Cases.** In cases involving property damage as a result of automobile accidents, the court will enter default judgment for attorney fees as authorized by K.S.A. 60-2006 in the amount of \$300 unless plaintiff requests an evidentiary hearing.
- 32.9 **Service of Process.** Services by tacking is authorized on all Chapter 61 pre-judgment matters and all aids in execution. In cases where attempted service reveals the address furnished for service was not correct, no further attempt at service at that same address shall be made, unless the person or attorney seeking service certifies by letter that they have verified, subsequent to the service attempt, that the address is now good.

Judgment debtors shall be served with an “Order to Appear for Hearing in Aid of Execution” requiring the debtor to appear to give information. The proceeding held pursuant to this order shall permit the plaintiff or counsel for plaintiff to gather information for the purpose of collecting the judgment. If the debtor fails to appear for examination as ordered, the debtor may be cited in contempt for Failure to Appear. These citations shall be personally served and shall be scheduled for hearing on the same docket as other limited actions cases are handled. Absent a judicial finding to the contrary, submitting to the examination shall purge this contempt.

- 32.10 **Dismissals.** Debtors shall be dismissed from the docket after three months of regular payment, either by income withholding order or by voluntary payment. Application of cash deposit bail bond funds shall not be considered a regular payment. Debtors who have been judicially or administratively determined to be disabled to the extent that they are unable to work or have no other income shall be dismissed from the docket.
- 32.11 **Counsel in Contempt Cases.** The obligor shall not have counsel appointed if they have sufficient actual or imputed income to employ an attorney. A financial affidavit shall be used to determine the issues of income and indigency. The movant may rebut the obligor’s assertions regarding income and indigency by filing a motion to have the Court determine

the same.

- 32.12 **Bench Warrants, Bonds, Hearings.** A bench warrant may be issued if the obligor fails to appear for a contempt hearing. The amount of cash bond for bench warrants upon a first and subsequent failure to appear shall be the amount of the unpaid judgment.

If the debtor cannot post a cash bond, the amount of the bond shall be reviewed on a weekly basis.

- 32.13 **Multiple Defendants.** In multiple defendant cases, if service is made on less than all of the defendants, the plaintiff must elect to proceed against the served defendant(s), dismissing the unserved defendant(s), or allow the case to be dismissed as a whole.

### **RULE 33 PROBATE PROCEEDINGS**

- 33.1 **Form of Pleadings.** In all cases coming under Chapter 59, K.S.A. applications made to the court are to be made in the form of a written petition, signed by the petitioning party, and verified upon oath taken before a notary public or other person authorized to administer oaths. Every application made to the court shall comply in form to the requirements of K.S.A. 59-2201, K.S.A. 59-2202, and K.S.A. 59-103(b) in a probate proceeding.

- 33.2 **Scheduling of Cases.** It shall be the duty of the filing attorney (or *pro-se* petitioner) to obtain, at the time of the filing of the petition, a hearing date for the hearing of the petition filed, and to provide an “Order for Hearing” presented to the Court for execution and filing.

**Comment.** Commencement of any action requires both the filing of the petition and the obtaining of an “Order for Hearing” (or equivalent.) Just filing the petition will not result in the matter being scheduled for hearing and may result in substantial prejudice to the petitioning party.

Cases shall be scheduled for hearing by contacting the Court Clerk’s Office or the office of the judge in order to obtain a calendar setting. The Order for Hearing shall be presented to the judge’s office for signing.

It shall be the duty of the filing attorney to know the law with respect to notice requirements and time limitations imposed by statute as it applies to the case being filed. It shall not be the duty of the Clerk of the Court to give advice either on substantive or procedural aspects of the law.

- 33.3 **Standing Orders; Scheduling Approval of Annual Accounting.** The Court shall issue an order to the Clerk directing the scheduling of Petitions to Approve Annual Accountings – Trusts, Conservatorships, Curatorships. Any order setting such hearing which is signed by the Clerk, or a duly appointed deputy, shall have the same effect as if signed personally by

29.5.25 [REDACTED] 172a  
28.3.5 [REDACTED]  
32.4.2 [REDACTED]  
29.3.30 [REDACTED]  
32.6 [REDACTED]  
2011.8.8 [REDACTED]  
2011.8.9 [REDACTED]  
2011.8.10 [REDACTED]  
Rule 3 [REDACTED]  
32.7.3 [REDACTED]  
Rule 4 [REDACTED]  
10.4.6 [REDACTED]  
12.4.6 [REDACTED]  
32.8 [REDACTED]  
29.7 [REDACTED]  
Rule 8 [REDACTED]  
Rule 9 [REDACTED]  
12.4.6 [REDACTED]  
33.0(a) [REDACTED]  
Rule 4 [REDACTED]  
Rule 6 [REDACTED]  
2011.7.9 [REDACTED]  
2011.7.9 [REDACTED]  
10.4.6 [REDACTED]  
29.10.9 [REDACTED]  
33.0 [REDACTED]  
32.1 [REDACTED]  
29.4 [REDACTED]  
Rule 1 [REDACTED]  
2011.7.9 [REDACTED]  
29.8 [REDACTED]  
Rule 2 [REDACTED]  
33.0 [REDACTED]  
Rule 2 [REDACTED]  
Rule 2 [REDACTED]  
32.10.1 [REDACTED]  
Rule 2 [REDACTED]  
Rule 2 [REDACTED]  
Rule 2 [REDACTED]  
10.4.2 [REDACTED]  
32.10.3 [REDACTED]  
33.0 [REDACTED]  
Rule 3 [REDACTED]  
Rule 3 [REDACTED]  
29.9 [REDACTED]  
Rule 3 [REDACTED]  
29.10 [REDACTED]  
29.2 [REDACTED]  
33.1 [REDACTED]  
Rule 3 [REDACTED]  
32.1 [REDACTED]  
2012 [REDACTED]  
[REDACTED]