

APPENDIX “F”

**STATE OF KANSAS
6TH JUDICIAL DISTRICT**

PRO SE (SELF-REPRESENTATION) DIVORCE PACKET

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STATE OF KANSAS
6TH JUDICIAL DISTRICT
Serving
Bourbon, Linn, and Miami Counties

**DIVORCE INFORMATION SHEET
PRO SE FILING**

A pro se litigant in a civil case is required to follow the same rules of procedure and evidence which are binding upon a person who is represented by an attorney. Our legal system cannot function on any basis other than equal treatment of all persons. A party in a divorce action cannot expect the trial judge, court officials or an attorney for the other party to advise him or her of the law or court rules, or to see that his or her case is properly presented to the judge. An individual filing pro se in a civil case cannot be given either an advantage or a disadvantage solely because of proceeding without an attorney. **THE PAPERWORK REQUIRED WILL BE AT LEAST AS COMPLEX AS PREPARING INCOME TAX RETURNS.** Pro se litigants should inform themselves of their rights and seek legal counsel.

RESIDENCY REQUIREMENTS

Either you or your spouse must have been resident of the State of Kansas for at least 60 days before the filing of the Petition for Divorce. Usually the divorce action is filed in the county in which you reside or your spouse resides.

STARTING THE PROCEEDINGS

The first step is to file a Petition for Divorce with the Clerk of the District Court. The petition must be accompanied by the appropriate filing fee or Poverty Affidavit if you are financially unable to pay the filing fee. The filing fee is \$166.00. In addition, if you would like the other party served with the petition, you must provide a check or money order in the amount of \$5.00 payable to the Miami County Sheriff.

DOMESTIC RELATIONS AFFIDAVIT

A Domestic Relations Affidavit form must be **completed** and filed with the Clerk of the District Court at the time of the filing of the Petition for Divorce or before the scheduled hearing date.

PARENTING PLAN

If you have children of this marriage a Parenting Plan must be filed at the same time you file your Petition for Divorce. This may be a temporary parenting plan or a permanent parenting plan. If you and your spouse cannot agree on a parenting plan you may request Mediation. Mediation will be ordered upon request and will be provided by Court Services Officers without cost to parents. If parents cannot agree as to custody or visitation, mediation should take place before a hearing on the divorce is scheduled.

SERVING THE PAPERS

There are two ways to notify your spouse officially that you have filed a divorce action:

1. Your spouse may sign a written receipt (called and “Entry of Appearance”) for a copy of the petition and any other papers filed at the same time. The signing of the receipt acknowledges that the Court has jurisdiction over the parties. It does not mean that your spouse has agreed to any of the requests in the petition or other papers filed.
2. If your spouse is unwilling to sign a receipt the Sheriff will deliver (“serve”) a copy of the Petition to your spouse. Your spouse will then have twenty days in which to answer or oppose the petition. If your spouse does not live in Kansas they will have thirty days to answer or oppose the petition.

HEARING DATE

Kansas law provides that a divorce shall not be heard prior to the expiration of 60 days from the date on which the petition for divorce is filed unless an emergency hearing is requested. The party filing the action must be present at the divorce hearing. The Judge’s office can provide you a hearing date.

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 be sure to bring your Decree of Divorce, the completed Worksheet for Certificate of Divorce or Annulment and any documents required by the Judge. The worksheet must be delivered to the Clerk of the District Court at the time of the filing of the Decree of Divorce.

DIVORCE HEARING

Your divorce may be “contested” or “uncontested”. If you and your spouse agree on all aspects of property settlement and the payment of liabilities and court costs your divorce hearing will be “uncontested”. If your spouse disputes any of these matters, you have a “contested” divorce. In either case, a trial before the District Judge is required, but it may be a brief hearing in an “uncontested” case.

CHANGE OF NAME

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

THE STATE OF KANSAS
6TH Judicial District
Serving
BOURBON, LINN AND MIAMI COUNTIES
Richard M Smith

PARENTING GUIDELINES

It is usually in your child's best interest for each parent to have frequent, meaningful and continuing access to your child(ren). A Parenting Plan Agreement made by both parents is preferred to a court imposed solution. However, if one or both parents are unable to agree on a schedule of parenting time, the following guidelines shall be used in most cases. In situations where the non-custodial parent may not have had on-going contact with the child(ren), initial visitation may be shorter. Further, these provisions may not be applicable to very young children or in situations where geographical distances between parents make compliance impossible. The parents, in exercising parenting time, should be flexible and adapt to the existing circumstances, such as the child's age, on-going activities, and any religious holidays not set out below.

If the parents do not agree otherwise, the following shall be considered the MINIMUM schedule of parenting time to which the non-custodial parents shall be entitled:

Parenting Time and Contact Guidelines. The following is a sample parenting time and contact schedule that the judges in this district will normally consider minimally consistent with the best interests of the child(ren) under a joint legal custody and parenting time order. Provision should be made for extended summer visitation, as appropriate. The presumed minimum is at least ½ of the summer break.

1. Alternate Weekends: Parent B to have alternate weekend parenting time beginning at 6:00 p.m. on Friday until 7:00 p.m. on Sunday.
2. Evening Physical Custody: Parent B to have one weekday evening per week which, if feasible, should be overnight.
3. Easter Weekend: Parenting time with parent B from 6:00 p.m. Friday until 7:00 p.m. Sunday during even numbered years and with parent A during odd numbered years.
4. Spring Break: Parenting time with each parent during one half of the spring break, with a transfer to occur on Wednesday evening at 7:00 p.m.. The parent normally having the child during the first weekend of spring break shall continue to have the child until the Wednesday transfer.

5. Mother's Day: From 9:00 a.m. until 7:00 p.m. with the child's mother.
6. Memorial Day: From 6:00 p.m. Friday until 7:00 p.m. Monday with Parent A in even numbered years and parent B during odd numbered years.
7. Father's Day: From 9:00 a.m. until 7:00 p.m. with the child's father.
8. Independence Day: From 6:00 p.m. July 3 until 9:00 p.m. on July 5 with parent A during even numbered years and parent B during odd numbered years.
9. Labor Day: From 6:00 p.m. Friday until 7:00 p.m. Monday with parent B during even numbered years and parent A during odd numbered years.
10. Halloween: A minimum of three hours Halloween evening with parent A in even numbered years and parent B during the odd numbered years.
11. Thanksgiving: From 7:00 p.m. Wednesday until 7:00 p.m. Thursday with parent B during even numbered years and parent A during odd numbered years.
12. Christmas Eve. From 7:00 p.m. the day school is dismissed for Christmas vacation until 10:00 p.m. Christmas Eve, December 24, with parent B during even numbered years and parent A during odd numbered years.
13. Christmas Period: From 7:00 p.m. December 24 until 7:00 p.m. December 30 with parent A during even numbered years and parent B during odd numbered years.
14. 14. New Years Eve and New Years Day: From 7:00 p.m. December 30 until 7:00 p.m. on the evening before school resumes with parent B in even numbered years and parent A in odd numbered years.
15. Parent's Birthday: The child shall spend part of the day (a minimum of three hours) with the respective parent on that parent's birthday.
16. Child's Birthday: The child shall spend the child's birthday with parent B in even numbered years and with parent A in odd numbered years. The child shall spend the day before or the day after child's birthday with the other parent.
17. Vacation: After 30 days advance notice and consultation with the other parent, each parent may arrange to take a vacation trip with the child for a period not exceeding 14 days.

18. Conflicts and Good-faith Considerations:
 - a. Birthday - Holiday. Conflicts between a holiday and a birthday shall be resolved in favor of the holiday schedule. However, the parties are directed to be flexible in allowing the birthday to be celebrated before or after the holiday period.
 - b. Weekend - Holiday. Conflicts between weekends and holidays shall be resolved in favor of the holiday schedule.
 - c. Weekend. The schedule of weekend parenting time shall be determined without regard to whether the regular schedule has been preempted for time to time by one of the scheduled holidays. There shall be no adjustment for "missed" weekends due to interruption by the holiday visitation schedule, however, the parties are encouraged to compensate for missed parenting time so a non-residential parent will not go three weekends without seeing the child.
 - d. Adjustments. It is expected that parents will exercise good faith with each other and act in the best interests of their child(ren) so that each parent can have a full and active participation in the lives of their child(ren). Any parenting plan or schedule, for example, should take into consideration the age of the child. For infants and preschool children, consideration should be given to scheduling more frequent but shorter contacts with parent B during the week on a routine and consistent basis. Consideration should also be given to older adolescents whose personal schedules may interfere with these guidelines.
19. Telephone and Internet Communication. Telephone calls and Internet communication between parent and child should be liberally permitted at reasonable hours and at the expense of the calling parent. Weekly telephone communication with the child should be permitted.
20. Mail and e-mail Contact. Parents and children should have an unrestricted right to send cards, letters, packages, audio, video and e-mail communications to each other. Neither parent should interfere with this right.
21. Long Distance Parenting. When there is a significant geographical distance separating the two parents, parenting plans should provide for the following:
 - a. Weekly telephone contact.
 - b. Longer periods of parenting time during school holidays.
 - c. Extended summer residency for school age children.
 - d. The parent having residency where the child goes to school shall send school records, school calendars, school photographs, activities schedules, report cards, standardized test results, etc. on a frequent basis to the other parent.

Unless prior arrangements are made, the non-custodial parent shall pick up the child(ren) at the times specified and return them at the times specified. The custodial parent shall have the child(ren) ready for the parenting time at the time they are to be picked up and shall be present at the

home to receive the child(ren) at the time they are returned.

The non-custodial parent shall give the custodial parent three (3) days prior notice if he/she does not intend to exercise scheduled parenting time; in emergency situations notice shall be given as soon as possible under the circumstances.

Each parent shall supply the other with his/her current address and telephone number. Each parent shall allow liberal but reasonable telephone and mail privileges with the child(ren).

The custodial parent shall share all school and medical reports within ten (10) days of their receipt and shall immediately notify the non-custodial parent in the event of a medical emergency. The custodial parent shall inform the non-custodial parent of school and/or social functions permitting parental participation within twenty-four (24) hours of receipt of notification of such function.

Neither parenting time nor child support is to be withheld due to either parent's failure to comply with a Court order. If a dispute arises concerning parenting time, the parents shall first attempt to resolve the dispute by Mediation with the assistance of Pat Jackson. Mr. Jackson can be reached at 620-223-1370 or 913-795-2663.

If the parents mutually agree to change the custody or parenting time provisions of their current Court order, they shall contact their attorneys and petition the Court to approve and order that change. In the event that the parties do not obtain a Court order the Court shall not be bound by any agreement of the parents.

Richard M Smith
Chief Judge

CIVIL INFORMATION SHEET

The civil information sheet neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Clerk of the District Court for the purposes of initiating the civil docket sheet. This information will not be available to the public and this document will be stored in a separate location from the case file and then destroyed within a reasonable time. A new case **will not be accepted** without a cover sheet attached. (THIS FORM MUST BE TYPED OR PRINTED LEGIBLY). This form can be found at www.kscourts.org.

NATURE OF SUIT (Place an X in one box only – If the case involves more than one of the following categories, indicate the category having the highest dollar value)

CIVIL If a CH. 61: \$_____ (Judgment Demand Amount)

TORT

- Asbestos Product Liability
- Automobile Tort
- Intentional Tort
- Legal Malpractice
- Medical Malpractice
- Other Professional Malpractice
- Premises Liability
- Slander/Libel/Defamation
- Tobacco Product Liability
- Toxic/Other Product Liability
- Other Tort

CONTRACT

- Buyer Plaintiff
- Employment Dispute - Discrimination
- Employment Dispute - Other
- Fraud
- Landlord/Tenant - Unlawful Detainer
- Landlord/Tenant Dispute – Other
- Seller Plaintiff (debt collection)
- Other Contract

CIVIL APPEALS

- Administrative Agency
- Other Civil Appeal

REAL PROPERTY

STATE TAX

WARRANT

- Eminent Domain
- Mortgage Foreclosure
- Other Real Property

MISCELLANEOUS

- 60-1507
- Habeas Corpus
- Other Writs

OTHER CIVIL

SMALL CLAIMS

DOMESTIC

MARRIAGE DISSOLUTION/DIVORCE **PROTECTION FROM ABUSE** **PROTECTION FROM STALKING** **UIFSA**

OTHER DOMESTIC RELATIONS **NON-DIVORCE SUPPORT, CUSTODY OR VISITATION**
 PATERNITY

PROBATE/ESTATE

GUARDIAN /CONSERVATOR

- ADOPTION**
- Conservatorship/Trusteeship
- Guardianship – Adult
- Guardianship - Minor
- Guardian/Conservator – Adult
- Guardian/Conservator - Minor

DETERMINATION OF DESCENT

SEXUALLY VIOLENT PREDATOR

DECEDENT ESTATE

ELDER ABUSE

OTHER PROBATE / ESTATE

CARE AND TREATMENT

JURY DEMAND YES (Check yes only if jury demand is included in petition or as a separate pleading) NO

SUMMONS ATTACHED: YES NO

SERVICE BY:

PROCESS SERVER/ATTORNEY SHERIFF IN STATE _____ County SHERIFF OUT OF STATE _____ State

SHERIFF'S PROCESS FEE ATTACHED YES NO

PLAINTIFF / SUBJECT INFORMATION
(ATTACH ADDITIONAL SHEET, IF NECESSARY)

NAME: _____

ADDRESS: _____

PHONE: _____ SEX: _____

SSN: _____ DOB: _____

DL OR STATE ID NO: _____
State and Number

ALIAS NAMES USED: _____

DEFENDANT / OTHER PARTY INFORMATION
(ATTACH ADDITIONAL SHEET, IF NECESSARY)

NAME: _____

ADDRESS: _____

PHONE: _____ SEX: _____

SSN: _____ DOB: _____

DL OR STATE ID NO: _____
State and Number

ALIAS NAMES USED: _____

ATTORNEYS

(Firm Name, Address, Telephone Number and Supreme Court ID Number)

ATTORNEYS (if known)

(Firm Name, Address, Telephone Number and Supreme Court ID Number)

FOR DOMESTIC CASES - NAME, DATE OF BIRTH AND SOCIAL SECURITY NUMBER OF EACH DEPENDENT CHILD:

(Name) (Date of Birth) (Social Security Number)

The requirement that Social Security numbers be included on domestic cases is mandatory, and authorized by the Supreme Court and federal law. On non-domestic cases, the Social Security number is not mandatory. The number is used for purposes of identification and may be disclosed as permitted by law. This form is not considered to be a public record.

05-04-2005

IN THE DISTRICT COURT OF MIAMI COUNTY, KANSAS

IN THE MATTER OF THE MARRIAGE OF:

Petitioner

vs.

Case No. _____

Respondent

PETITION FOR DIVORCE
PURSUANT TO K.S.A. CHAPTER 60

COMES NOW the petitioner and for her/his cause of action against the respondent alleges and states:

1. The petitioner is now, and has been for more than sixty (60) days next preceding the filing of this Petition, a bona fide resident of the State of Kansas, and currently resides at _____, _____, _____. The respondent is a Kansas resident residing at _____, _____, _____, and may be served at that address.

2. Petitioner and respondent were married on _____ in _____, _____ County, State of _____, and they remain husband and wife.

1. There are no children born to this marriage.
 There are _____ children born to this marriage.
(List full names and dates of birth)

2. The parties are incompatible and by reason thereof can no longer live together as husband and wife.

3. The parties have accumulated various marital property which should be equitably divided.

4. The parties have incurred various marital debts which should be equitably divided.

5. The petitioner/respondent should be restored their prior or maiden name,

_____.

WHEREFORE, petitioner prays the Court for a divorce based on incompatibility; for an equitable division of the parties' marital assets and debts; determination of child custody, parenting time and child support; to have their prior or maiden name of _____ to be restored; and for such other legal and equitable relief as the Court may deem just.

Petitioner

STATE OF KANSAS)
) SS:
COUNTY OF _____)

I, _____, of lawful age, being first duly sworn on my oath, depose and say:

I am the petitioner in this action; I have read the foregoing Petition for Divorce and know its contents; and I verify the statements and allegations made in the Petition are true.

Petitioner

SUBSCRIBED AND SWORN to before me this _____ day of _____, 20__.

Notary Public

My Appointment expires: _____
(SEAL)

IN THE DISTRICT COURT OF MIAMI COUNTY, KANSAS

IN THE MATTER OF THE MARRIAGE OF:

Petitioner

vs.

Case No. _____

Respondent

DOMESTIC RELATIONS AFFIDAVIT OF _____
(name)

1. Mother's Residence _____

2. Father's Residence _____

3. Date of Marriage: _____

4. Number of Marriages: _____
Mother Father

5. Number of children of the relationship: _____

6. Names, Social Security Numbers, birthdates, and ages of minor children of the relationship:

| Name | Age | Custodian |
|-------|-------|-----------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

9. The liquid assets of the parties are (do not list more than the last four digits of any account number shown):

| | Item | Amount | Joint or Individual (Specify) |
|----|--------------------|----------|----------------------------------|
| A. | Checking Accounts: | | |
| | _____ | \$ _____ | _____ |
| | _____ | \$ _____ | _____ |
| B. | Savings Accounts: | | |
| | _____ | \$ _____ | _____ |
| | _____ | \$ _____ | _____ |
| C. | Cash | | |
| | Mother | \$ _____ | _____ |
| | Father | \$ _____ | _____ |
| D. | Other | | |
| | _____ | \$ _____ | _____ |
| | _____ | \$ _____ | _____ |

10. The monthly expenses of each party are: (Please indicate with an asterisk all figures which are estimates rather than actual figures taken from records.)

| A. | Item | Mother (Actual or Estimated) | Father (Actual or Estimated) |
|-----|-------------------------------|---------------------------------|---------------------------------|
| 1. | Rent (if applicable)* | \$ _____ | \$ _____ |
| 2. | Food | \$ _____ | \$ _____ |
| 3. | Utilities: | | |
| | Trash Service | \$ _____ | \$ _____ |
| | Newspaper | \$ _____ | \$ _____ |
| | Telephone | \$ _____ | \$ _____ |
| | Gas | \$ _____ | \$ _____ |
| | Water | \$ _____ | \$ _____ |
| | Lights | \$ _____ | \$ _____ |
| | Other | \$ _____ | \$ _____ |
| 4. | Insurance: | | |
| | Life | \$ _____ | \$ _____ |
| | Health | \$ _____ | \$ _____ |
| | Car | \$ _____ | \$ _____ |
| | House/Rental | \$ _____ | \$ _____ |
| | Other | \$ _____ | \$ _____ |
| 5. | Medical and dental | \$ _____ | \$ _____ |
| 6. | Prescriptions drugs | \$ _____ | \$ _____ |
| 7. | Child care (work-related) | \$ _____ | \$ _____ |
| 8. | Child care (non-work-related) | \$ _____ | \$ _____ |
| 9. | Clothing | \$ _____ | \$ _____ |
| 10. | School expenses | \$ _____ | \$ _____ |
| 11. | Hair cuts and beauty | \$ _____ | \$ _____ |
| 12. | Car repair | \$ _____ | \$ _____ |
| 13. | Gas and oil | \$ _____ | \$ _____ |
| 14. | Personal property tax | \$ _____ | \$ _____ |

| Item | Mother (Actual or Estimated) | Father (Actual or Estimated) |
|-----------------------------|---------------------------------|---------------------------------|
| 15. Miscellaneous (Specify) | | |
| _____ | \$ _____ | \$ _____ |
| _____ | \$ _____ | \$ _____ |
| _____ | \$ _____ | \$ _____ |
| _____ | \$ _____ | \$ _____ |
| 16. Debt Payments (Specify) | | |
| _____ | \$ _____ | \$ _____ |
| _____ | \$ _____ | \$ _____ |
| _____ | \$ _____ | \$ _____ |
| _____ | \$ _____ | \$ _____ |
| Total | \$ _____ | \$ _____ |

*Show house payments, mortgage payments, etc., in Section 10.B.

B. Monthly payments to banks, loan companies or on credit accounts: (Indicate actual or estimated, use asterisk for secured.) DO NOT LIST ANY PAYMENTS INCLUDED IN PART 10.A ABOVE.

| Creditor | When Incurred | Amount of Payment | Date of Last Payment | Balance | Responsibility | |
|----------|---------------|-------------------|----------------------|----------------------|----------------|----------|
| | | | | | Mother | Father |
| _____ | _____ | _____ | _____ | \$ _____ | \$ _____ | \$ _____ |
| _____ | _____ | _____ | _____ | \$ _____ | \$ _____ | \$ _____ |
| _____ | _____ | _____ | _____ | \$ _____ | \$ _____ | \$ _____ |
| _____ | _____ | _____ | _____ | \$ _____ | \$ _____ | \$ _____ |
| _____ | _____ | _____ | _____ | \$ _____ | \$ _____ | \$ _____ |
| _____ | _____ | _____ | _____ | \$ _____ | \$ _____ | \$ _____ |
| | | | | Subtotal of Payments | \$ _____ | \$ _____ |
| | | | | Total | \$ _____ | \$ _____ |

C. Total Living Expenses

| | Mother (Actual or Estimated) | Father (Actual or Estimated) |
|--|---------------------------------|---------------------------------|
| 1. Total funds available to Mother and Father (from No. 8) | \$ _____ | \$ _____ |
| 2. Total needed (from No. 10.A and B) | \$ _____ | \$ _____ |
| 3. Net Balance | \$ _____ | \$ _____ |
| 4. Projected child support | \$ _____ | \$ _____ |

D. Payments or contributions received, or paid, for support of others. Specify source and amount.

| Source | Mother | Father |
|-------------|----------|----------|
| _____ (+/-) | \$ _____ | \$ _____ |
| _____ (+/-) | \$ _____ | \$ _____ |
| _____ (+/-) | \$ _____ | \$ _____ |
| _____ (+/-) | \$ _____ | \$ _____ |

11. How much does the party who provides health care pay for family coverage?
 \$ _____ per _____.
 How much does it cost the provider to furnish health insurance only on the provider?
 \$ _____ per _____.

FURNISH THE FOLLOWING INFORMATION IF APPLICABLE.

12. Income and financial resources of children.

| Income/Resources | Amount |
|------------------|----------|
| _____ | \$ _____ |
| _____ | \$ _____ |
| _____ | \$ _____ |
| _____ | \$ _____ |

13. Child support adjustments requested.

| | Mother | Father |
|--------------------------------|----------|----------|
| Long Distance Visitation Costs | \$ _____ | \$ _____ |
| Visitation Adjustments | \$ _____ | \$ _____ |
| Income Tax Considerations | \$ _____ | \$ _____ |
| Special Needs | \$ _____ | \$ _____ |
| Agreement Past Minority | \$ _____ | \$ _____ |
| Overall Financial Condition | \$ _____ | \$ _____ |

14. All other personal property including retirement benefits (including but not limited to qualified plans such as profit-sharing, pension, IRA, 401[k], or other savings-type employee benefits, nonqualified plans, and deferred income plans), and ownership thereof (joint or individual), including policies of insurance, identified as to nature or description, ownership (joint or individual), and actual or estimated value. Do not list more than the last four (4) digits of any account number shown.

| | Amount | Joint or Individual (Specify) |
|-------|----------|----------------------------------|
| _____ | \$ _____ | _____ |
| _____ | \$ _____ | _____ |
| _____ | \$ _____ | _____ |
| _____ | \$ _____ | _____ |

THE FOLLOWING NEED NOT BE FURNISHED IN POST JUDGMENT PROCEDURES.

15. List real property identified as to description, ownership (joint or individual) and actual or estimated value.

| Property Description | Ownership | Actual/Estimated Value |
|----------------------|-----------|------------------------|
| | | |
| | | |
| | | |
| | | |

16. Identify the property, if any, acquired by each of the parties prior to marriage or acquired during marriage by a will or inheritance.

| Property Description | Ownership | Source of Ownership | Actual/Estimated Value |
|----------------------|-----------|---------------------|------------------------|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

17. List debt obligations, including maintenance, not listed in Section 10.A or 10.B above, identified as to name or names of obligor or obligors and obligees, balance due and rate at which payable; and, if secured, identify the encumbered property.

| Debt Obligation | Obligor | Obligee | Balance Due | Payment Rate | Encumbered Property |
|-----------------|---------|---------|-------------|--------------|---------------------|
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

18. List health insurance coverage and the right, pursuant to ERISA §§ 601-608, 29 U.S.C. §§ 1161-1168 (1986), to continued coverage by the spouse who is not a member of the covered employee group.

| <u>Health Insurance</u> | <u>COBRA Continuation</u> | | |
|-------------------------|---------------------------|----|---------|
| | Yes | No | Unknown |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

AFFIANT

/s/ _____

VERIFICATION

STATE OF _____)
COUNTY OF _____

I swear or affirm under penalty of perjury that this affidavit and attached schedules are true and complete.

/s/ _____
(Signature)

Subscribed and sworn this _____ day of _____, 20 ____.

/s/ _____
Notary Public
My Appointment Expires:

SEAL

IN THE DISTRICT COURT OF MIAMI COUNTY, KANSAS

IN THE MATTER OF THE MARRIAGE OF:

Petitioner

vs.

Case No. _____

Respondent

REQUEST AND SERVICE INSTRUCTION FORM

To: Clerk of the District Court

The Clerk of the Court will issue a Summons and Petition in the above entitled action for the above named respondent. You are hereby instructed to effect service, as follows:

- _____ a. Service through the office of the Sheriff of _____ County, State of Kansas, other than by certified mail.
- _____ b. Service by a Process Server authorized or appointed by the provisions of K.S.A. 1989 Supp. 60-303.
- _____ c. Certified mail service by the undersigned, who understands that the responsibility for obtaining service and effecting its return shall be on the undersigned. The receipt for certified mail service (green card) must be filed with the Clerk's office before service can be perfected.
- _____ d. Certified mail service by the office of the Sheriff of _____ County, State of Kansas, AT THE EXPENSE OF THE PETITIONER. The undersigned understands that the responsibility for obtaining service and effecting its return shall be on the Sheriff.

Petitioner

Address

Telephone No.

IN THE DISTRICT COURT OF MIAMI COUNTY, KANSAS

IN THE MATTER OF THE MARRIAGE OF:

Petitioner
vs.

Case No. _____

Respondent

Address

SUMMONS

To the above-named respondent:

You are hereby summoned and required to serve upon Petitioner/Petitioner’s Attorney, whose address is _____, a pleading to the petition which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the petition. Your pleading must also be filed with the Court. As provided in subsection (a) of K.S.A. 60-213, and amendments thereto, your answer must state as a counterclaim any related claim which you may have against the plaintiff, or you will thereafter be barred from making such claim in any other action.

Dated: _____

Clerk of the District Court/Deputy

RETURN OF SERVICE OF SUMMONS

_____ Personal Service

I hereby certify that I have served the within summons:

- (1) By delivering on the _____ day of _____, 200__, a copy of the summons and a copy of the petition to the above named respondent.
- (2) By leaving on the _____ day of _____, 200__, for the above named respondent a copy of the summons and a copy of the petition at the respective dwelling place or usual place of abode of such respondent with some person of suitable age and discretion residing therein.

All done in _____ County, Kansas.

Sheriff/Deputy

IN THE DISTRICT COURT OF MIAMI COUNTY, KANSAS

IN THE MATTER OF THE MARRIAGE OF:

Petitioner

vs.

Case No. _____

Respondent

ENTRY OF APPEARANCE AND WAIVER OF SERVICE

COMES NOW the respondent and voluntarily enters respondent's appearance in this action, and waives the issuance of service of summons and acknowledges receipt of the Petition.

RESPONDENT

ACKNOWLEDGMENT

STATE OF KANSAS)
)
COUNTY OF _____)ss.

BE IT REMEMBERED that on this _____ day of _____, 200____ before me, a Notary Public in and for said County and State, personally came and appeared _____, known to me to be the identical person who executed the foregoing instrument and acknowledged to me that she/he executed the same as a voluntary act and deed for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have set my hand and affixed my seal the day and year last above written.

NOTARY PUBLIC

My commission expires:

IN THE DISTRICT COURT OF MIAMI COUNTY, KANSAS

DIVORCE CHECKLIST

The following checklist should be completed in all cases and presented to the Court at the time of final hearing. [“X” if applicable—“N/A” if not applicable]

- ___ 1. ___ Summons return; ___ Entry of Appearance; ___ Publication Affidavit
- ___ 2. Complete Domestic Relations Affidavit: ___ Petitioner; ___ Respondent
- ___ 3. Child Support Worksheet complete.
- ___ 4. Court Costs Paid - Will be paid by _____ (date).
- ___ 5. Mandatory Supplemental Orders for Child Support are included in/attached to journal entry.
- ___ 6. Kansas Payment Center Form.
- ___ 7. Provisions for health insurance/uninsured health care expenses included in child support orders.
- ___ 8. Typed Vital Statistics Form.
- ___ 9. ___ Settlement Agreement; ___ Agreed Decree; ___ Default Decree.
- ___ 10. Personal Property items have all been delivered.
- ___ 11. Other documents: IRS Form 8332; Titles; Deeds; IV-D application.
- ___ 12. Parenting Plan.

I certify the indicated items are completed and in the Court file, available at hearing to exhibit and discuss with the Court or are incorporated into the proposed Journal Entry approved by counsel.

Name: _____
Address: _____

Telephone: _____
Petitioner

NOTE: ALL COUNSEL AND PARTIES MUST TAKE RESPONSIBILITY FOR APPLYING KANSAS LAW AND LOCAL RULES TO THEIR INDIVIDUAL CASE. NEITHER THE COURT CLERK NOR THE COURT WILL PROVIDE LEGAL ADVICE WITH RESPECT TO COMPLIANCE WITH THE FOREGOING REQUIREMENTS.

IN THE DISTRICT COURT OF MIAMI COUNTY, KANSAS

IN THE MATTER OF THE MARRIAGE OF:

Petitioner

vs.

Case No. _____

Respondent

DECREE OF DIVORCE

PLEASE CHECK ALL THAT APPLY:

- TITLE TO REAL ESTATE INVOLVED
- NO REAL ESTATE INVOLVED
- WITH CHILDREN
- WITHOUT CHILDREN

NOW THIS _____ day of _____, 20___, the above matter comes before the Court for final hearing. Petitioner appears in person, pro se. Respondent, appears (not) (in person) (by counsel).

Thereupon Petitioner presents evidence and testimony to the Court. The Court, having considered the pleadings filed, having heard the evidence presented, and otherwise being duly advised, makes the following findings:

1. Petitioner was a resident of the State of Kansas for more than sixty days before the Petition for Divorce was filed.
2. This Court has jurisdiction over the parties to and the subject matter of this divorce matter. More than sixty days have elapsed since the filing of the petition.
3. Petitioner and Respondent were married on the following date: _____ (marriage date and year) and have been married since that date.

4. Petitioner and Respondent are incompatible and they are hereby divorced on that ground.

There are no adult children of this marriage.

There were _____ children born during this marriage. The names and dates of birth of the children now under eighteen years of age are:

a. _____ (child's name), is _____ years old.

b. _____ (child's name), is _____ years old.

c. _____ (child's name), is _____ years old.

d. _____ (child's name), is _____ years old.

5. The parties have entered into an agreed resolution of all issues.

6. The parties' agreement has been reviewed by the Court and the Court determines that the parties' agreement is valid, just, and equitable and the agreement is approved by the Court.

7. Petitioner shall have as Petitioner's sole and separate property, all of Petitioner's personal papers and clothing and any other property in possession of the Petitioner.

The following items now in the possession of Respondent shall also be awarded to Petitioner:

8. Respondent shall have as Respondent's sole and separate property, all of Respondent's personal papers and clothing and any other property in possession of the Respondent.

The following items now in the possession of Petitioner shall also be awarded to Respondent:

9. Each party is responsible for the debts held in his or her own name, and shall hold the other harmless, except the following:

Debts to be paid by Petitioner: _____

Debts to be paid by Respondent: _____

10. Each party shall hold the other harmless from any and all debts incurred on any property assigned to that party.

11. REAL ESTATE Yes No _____

a. The parties own a house or land at the following address with the following legal description: _____

b. The house or land is to be assigned to (Petitioner) (Respondent), who will be responsible for payment of the mortgage loan and will hold the other party harmless on that debt.

12. Neither Petitioner nor Respondent have requested the payment of spousal support and neither party shall receive spousal support from the other.

13. CHILDREN: Yes No

- a. The parties have presented the Court with a written, agreed parenting plan which provides for the legal custody, a schedule of time each parent will have with the children and a plan for alternate dispute resolution in the event disputes arise regarding the children. The parenting plan agreed by the parties is approved and is made part of this Decree.
- b. Health insurance covering the child/children is in effect through _____ . (Petitioner) (Respondent) shall be responsible for maintaining continuous health insurance coverage for the child/children.

14. (Petitioner) (Respondent) shall pay child support to the other party in the amount of \$_____, as shown on the attached child support worksheet, beginning on _____, 20__, with a like sum paid on the ____ day of each month thereafter, until modified or terminated.

15. All payments for child support shall be made to the Kansas Unified Payment Center. The two digit County designation of (MI) (LN) (BB) and the Case Number of this case shall be included in the memo portion of each payment for child support. The Kansas Payment Center has a current address of:

Kansas Payment Center
PO Box 758599
Topeka, Kansas 66675-8599

16. Petitioner and Respondent shall provide such information to the District Court Trustee as may be requested.

17. Unless the Court makes findings in conformity with K.S.A. 23-4107(j) income withholding from the Obligors **income** shall take effect immediately to enforce the order of support granted herein.

18. (Petitioner) (Respondent) is restored to the former last name of _____.

19. The parties are prohibited from contracting marriage with any third person until thirty (30) days from the entry of this Decree, unless an appeal is taken, and then until the receipt of the mandate from the Appellate Courts of the State of Kansas in accordance with K.S.A. 60-2106 (c). Any marriage contracted before the expiration of that period shall be voidable unless both Parties waive appeal.

20. The costs of the action are taxed against the deposit made.

IT IS SO ORDERED.

JUDGE OF THE DISTRICT COURT

Submitted by:

(signature)
Name:
Address 1:
Address 2:
City, State:
Telephone:

PETITIONER PRO SE
Pro Se Divorce Packet

(signature)
Name:
Address 1:
Address 2:
City, State:
Telephone:

RESPONDENT PRO SE

CERTIFICATE OF DIVORCE OR ANNULMENT

IN THE DISTRICT COURT OF MIAMI COUNTY, KANSAS

IN THE MATTER OF THE MARRIAGE OF:

Petitioner

vs.

Case No. _____

Respondent

TEMPORARY **PERMANENT PARENTING PLAN**

Parenting Plan submitted by: Mother Father Both parents

Other: _____

a proposed plan

an agreed plan by both parties.

SECTION 1: GENERAL INFORMATION

This parenting plan applies to the following children:

| <u>Full Name of Child</u> | <u>Gender</u> | <u>Birth Date and Age</u> |
|---------------------------|---|---------------------------|
| _____ | <input type="checkbox"/> M <input type="checkbox"/> F | _____ |
| _____ | <input type="checkbox"/> M <input type="checkbox"/> F | _____ |
| _____ | <input type="checkbox"/> M <input type="checkbox"/> F | _____ |
| _____ | <input type="checkbox"/> M <input type="checkbox"/> F | _____ |
| _____ | <input type="checkbox"/> M <input type="checkbox"/> F | _____ |
| _____ | <input type="checkbox"/> M <input type="checkbox"/> F | _____ |

SECTION 2: LEGAL CUSTODY (DECISION MAKING) (REQUIRED PROVISION)

2.1 Joint Legal Custody. Both parents are fit and proper persons to have joint responsibility for the care of the minor child(ren). It is in the best interest of the child(ren) that the parties jointly share in the care of the child(ren). The term “joint legal custody” means that both parents have equal rights and responsibilities regarding their child(ren) and that neither parent’s rights are superior to the other parent’s.

2.2 Sole Legal Custody. Joint legal custody is not in the best interest of the

child(ren). The parent granted sole legal custody has the primary right to decide matters regarding matters of health, education and welfare in the child(ren)'s best interest. The parent not granted sole legal custody may make emergency decisions affecting the health or safety of the child(ren) when the child(ren) is in that parent's physical care and control. The grant of sole legal custody to one parent does not deprive the other parent of access to information regarding the child(ren) unless the court shall so order, stating the reasons for that determination.

Sole legal custody is granted to Mother Father for the following reasons:

- Agreement of the parents.
- The other parent is unable or should not be allowed to exercise any decision-making.
- There such a high level of disagreement between the parents that one parent needs to be designated as the primary decision maker for the best interests of the child(ren) to be served.
- There is a danger to the child(ren).

2.21 Restriction of Information Regarding the Child(ren) to Non Legal Custodian.

The Mother Father is restrained from access to information regarding the child(ren) for the following specific reasons such as agreement to the parties or serious danger to the child(ren) stating the specific reason for a determination that the non-custodial parent should be restricted from access to information regarding the child(ren): _____

SECTION 3. PARENTING TIME SCHEDULE (REQUIRED PROVISION)

3.1 Parenting Time for Mother Father:

Weekdays: From _____ at ____m. to _____ at ____m. starting on the _____ day of _____, 200__.

Weekdays: Every _____ weekend from _____ at ____m. to _____ at ____m. starting on the _____ day of _____, 200__.

Holidays:

First half of winter School Break governed by the calendar of Unified School District No. _____ located in _____ from _____ at _____ .m. to _____ at _____ .m. during even years odd years, starting 200_____.

Second half of winter School Break governed by the calendar of Unified School District No. _____ located in _____ from _____ at _____ .m. to _____ at _____ .m. during even years odd years, starting 200_____.

Spring Break governed by the calendar of Unified School District No. _____ located in _____ from _____ at _____ .m. to _____ at _____ .m. during even years odd years, starting in 200_____.

Memorial Day from _____ at _____ .m. to _____ at _____ .m. during even years odd years, starting in 200_____.

4th of July from _____ at _____ .m. to _____ at _____ .m. during even years odd years, starting in 200_____.

Labor Day from _____ at _____ .m. to _____ at _____ .m. during even years odd years, starting in 200_____.

Thanksgiving Day from _____ at _____ .m. to _____ at _____ .m. during even years odd years, starting in 200_____.

Other: _____

3.2 Parenting Time for Mother Father
 This parent shall have all weekdays and weekends not specifically set forth above.
 This parent shall have all holidays not specified above.
 Other: _____

3.3 Priorities.

Holidays and special days specified above will have precedence over weekday and weekend visitation.

Holidays have priority over other special occasions.

There shall be no adjustment for “missed” weekends or weekdays due to interruption by specified holidays and special days. The parties are encouraged to compensate for missed weekends so that a parent will not go more than two weekends without having weekend parenting time.

Other: _____

SECTION 4: DISPUTE RESOLUTION PROCESS (REQUIRED PROVISION)

4.1 Disputes between the parties, other than child support disputes, shall be submitted to:

counseling by: _____,

or _____

mediation by: _____,

or _____

domestic case management by: _____,

or _____

4.2 The cost of this process shall be allocated between the parties as follows:

_____% Mother _____% Father

Based on each party’s proportional share of income from line 6 of the child support worksheets.

Equally.

As determined in the dispute resolution process.

SECTION 5: CHANGING THE CHILD(REN)’S RESIDENCE: K.S.A. 60-1620 Notice Requirements

5.1 Removal from State or Change of Residence: Each party shall give the other written notice by restricted mail, return receipt requested, at his or her last known address not less than thirty (30) days **prior** to changing residence, or if the child(ren) is to be removed from the state of Kansas for in excess of ninety (90) days.

- 5.2 Notice of Removal or Change not Required:** A parent is not required to give notice of removal from the state or change of residence to the other parent as the other parent has been convicted of a crime specified in Article 34 (crimes against persons), Article 35 (sex offenses), or Article 36 (crimes affecting family relationships and children) of Chapter 21 (Crimes and Punishments) of the Kansas Statutes Annotated in which the child(ren) is the victim of such crime.

SECTION 6: OPTIONAL PROVISIONS

- 6.1 Transportation and transportation costs.** Responsibility for transportation and transportation costs, as it relates to parenting time, shall be as follows:
- Transportation arrangements and costs shall be sole the responsibility of:
 - Mother Father
 - Transportation arrangements and costs shall be:
 - Shared Equally
 - Other _____
 - Not necessary at this time.
- 6.2 Exchange Point:** The exchange point for the child(ren) shall be:
 The home of the Mother Father Other: _____
- _____
- 6.3 Notice of Intent to exercise or not to exercise parenting time:**
- The Mother/Father parent shall notify the other parent _____ days in advance of intent to exercise scheduled parenting time. If notification is not given, the subject parenting time will be considered waived.
 - Except for extreme and exceptional circumstances a parent is not required to wait for the other parent more than _____ minutes before the parenting time is considered waived.
 - Other: _____
- _____
- _____
- Not necessary at this time.
- 6.4 Telephone and Mail contact between Parent and Child(ren).**
- Telephone Contact.** Each parent is allowed reasonable telephone access to their child(ren) at reasonable hours without interference from the other parent. Telephone contact with a child(ren) should not be used as an opportunity by either parent to discuss issues not related to the child(ren) with the other parent. When telephone contact is attempted to be made with the child(ren), the child(ren) should either have direct access to the telephone or the telephone should be given directly to the child(ren) with a minimum of conversation between the parents unless necessary for discussion of matters related to that contact. Any parent shall not refuse to answer

the phone, turn off the phone or put call block on the line in order to deny the other parent telephone contact with the child(ren). Each parent shall supply the other parent with current telephone numbers, where the child(ren) may be found or is/are staying.

Not necessary at this time.

Mail and Email Contact. Each parent with whom the child(ren) is not then living should have unlimited ability to contact each other by use of either regular United States mail or electronic mail, if such an account is available. The parent seeking mail contact must provide self-addressed stamped envelopes for the child(ren) to use. If available, current e-mail addresses where the child(ren) may be contacted shall be supplied to both parents by each parent. Where possible, reasonable computer access shall be allowed.

6.5 Other Considerations and Agreements:

Not necessary at this time.

SECTION 7: SIGNATURES: REQUIRED IF AGREED UPON BY THE PARTIES.

Mother:

Father:

Date Signed: _____

Date Signed: _____

Signature

Signature

Print Name

Print Name

Address

Address

Telephone Number

Telephone Number

Signature of Attorney if any

Signature of Attorney if any

Print Name

Print Name

SECTION 8: ORDERED BY THE COURT

- IT IS THEREFORE, ORDERED that this parenting plan
 - after approval of that agreement of the parties; or
 - after trial of the matter, the plan is hereby made the order of the court.

IT IS FURTHER ORDERED that absent an emergency, in the event of a future dispute concerning custody or parenting time, the parties must complete mediation before filing any pleadings with the Court.

IT IS FURTHER ORDERED that, when mutual decision making is designated but cannot be achieved, the parties shall make a good faith effort to resolve the issue through the dispute resolution process. If a parent fails to comply with a provision of this plan, the other parent's obligations under the plan are not affected unless specifically ordered by the court.

Date: _____

JUDGE OF THE DISTRICT COURT

Approved:

Signature: Attorney/Pro Se Mother

Signature: Attorney/Pro Se Father

Print Name

Print Name

CHILD SUPPORT WORKSHEET

Please refer to Administrative Rule 180, Appendices I and II, @ kscourts.org for information and instructions concerning this worksheet.

Log onto kscourts.org;

On left: Court Rules;

On left: Highlight Supreme Court/Appellate Rules;

In center: click Rules Relating to District Courts;

Rule 180.

3. Basic Child Support Obligation**
 (Using combined income from Line D.1.,
 find amount for each child and enter
 total for all children)

| | | | | |
|-------------------------|-------|-------|---------|-------|
| Age of Children | 0-5 | 6-11 | 12-18 | |
| Number Per-Age Category | _____ | _____ | _____ | |
| Total Amount | _____ | _____ | _____ = | _____ |

* Cost of Living Differential Adjustment? _____ Yes _____ No
 ** Multiple Family Adjustment? _____ Yes _____ No

PETITIONER RESPONDENT

4. Health & Dental Insurance Premiums _____ + _____

= _____

5. Work-Related Child Care Costs _____ + _____
 (Amt x % + [.25 x (Amt. x %)]
 for child care credit = _____)
 = _____

6. Parents' Total Child Support
 Obligation (Line D.3. plus
 Lines D.4. & D.5.) _____

7. Parental Child Support Obligation
 (Line D.2. times Line D.6.
 for each parent) _____

8. Adjustment for Insurance and
 Child Care (Subtract for actual
 payment made for items D.4.
 and D.5.) (-) _____

9. Net Parental Child Support
 Obligation (Line D.7. minus
 Line D.8.; Insert on
 Line F.1. below) _____

E. CHILD SUPPORT ADJUSTMENTS

| APPLICABLE N/A CATEGORY | | AMOUNT ALLOWED | |
|--------------------------------------|-------|----------------|------------|
| | | PETITIONER | RESPONDENT |
| 1. _____ Long Dist. Visit. Costs | (+/-) | _____ (+/-) | _____ |
| 2. _____ Visitation Adjustment | (+/-) | _____ (+/-) | _____ |
| 3. _____ Inc Tax Considerations | (+/-) | _____ (+/-) | _____ |
| 4. _____ Special Needs | (+/-) | _____ (+/-) | _____ |
| 5. _____ Agreement Past Minority | (+/-) | _____ (+/-) | _____ |
| 6. _____ Residence w/Third Party | (+/-) | _____ (+/-) | _____ |
| 7. _____ Overall Finan. Cond. | (+/-) | _____ (+/-) | _____ |
| 9. TOTAL (Insert on Line F.2. below) | | _____ | _____ |

F. DEVIATION(S) FROM REBUTTABLE PRESUMPTION AMOUNT

| | | | |
|--|-------|-------------|-------------|
| 1. Net Parental Child Support Obligation (Line D.9. from above) | | _____ | _____ |
| 2. Total Child Support Adjustments (Line E.7. from above) | (+/-) | _____ (+/-) | _____ (+/-) |
|) _____ | | | |
| 3. Adjusted Child Support Obligation | | _____ | _____ |
| 4. Enforcement Fee Allowance | | _____ | _____ |
| 5. Total Child Support Obligation | | _____ | _____ |

 Steven C. Montgomery
 JUDGE OF THE DISTRICT COURT

Kansas Payment Center
Child Support Order Information Sheet

Please refer to Administrative Rule 180, Appendices I and II at "kscourts.org"

Page 1

Kansas Payment Center
Child Support Order Information Sheet

Please refer to Administrative Rule 180, Appendices I and II at "kscourts.org"

Page 2

IN THE DISTRICT COURT OF MIAMI COUNTY, KANSAS

IN THE MATTER OF THE MARRIAGE OF:

Petitioner

vs.

Case No. _____

Respondent

POVERTY AFFIDAVIT

STATE OF KANSAS)

) SS:

COUNTY OF _____)

In the District Court of _____ County: I do solemnly swear that the claim set forth in the Petition herein is just, and I do further swear that, by reason of my poverty, I am unable to pay a docket fee.

Petitioner

SUBSCRIBED AND SWORN to before me this _____ day of _____, 20__.

Notary Public

My Appointment Expires: _____
(SEAL)

IN THE DISTRICT COURT OF MIAMI COUNTY, KANSAS

IN THE MATTER OF THE MARRIAGE OF:

Petitioner

vs.

Case No. _____

Respondent

ORDER FOR MEDIATION

Now on this _____ day of _____, 200____, the parties
come before the Court for the following dispute issues: _____

The parties are hereby ordered to participate in mediation, to attempt to resolve these issues. Both parties are **ordered to contact** the designated mediator within **seven days** of this date. Any costs of the mediation shall be shared equally between both parties, unless otherwise ordered by the Court.

Should a mediated agreement be reached, it shall be submitted to the Court. Should the parties fail to reach an agreement, or should the parties not be amenable to the mediation process, the Court or the hearing officer shall be notified within ten days **in writing**, by the mediator. The parties shall be responsible for providing a copy of the agreement to their respective attorneys.

No hearing regarding these issues shall be scheduled until the mediation process is complete. Any party who fails to appear for any scheduled mediation session without prior notification of the mediator and the other party, may summarily have their case dismissed.

JUDGE OF THE DISTRICT COURT

DESIGNATED MEDIATOR

Pat Jackson 620.223.1790

IN THE DISTRICT COURT OF MIAMI COUNTY, KANSAS

IN THE MATTER OF THE MARRIAGE OF:

Petitioner

vs.

Case No. _____

Respondent

MOTION TO ENFORCE VISITATION OR PARENTING TIME

(Filed Pursuant to K.S.A. 23-701, et seq.)

COMES NOW, _____, movant, in the above captioned matter and requests the court to set a hearing and enforce its orders on visitation or parenting time of the minor child(ren) of the parties.

In support of the motion, movant states that the rights of visitation or parenting time as set forth in the orders of this court are being denied or interfered with by the custodial parent in the following manner: (Describe specifically) _____

THAT THE PARENTS HAVE BEEN THROUGH THE MEDIATION PROCESS WITHIN THIRTY (30) DAYS OF THE FILING OF THIS MOTION WITHOUT RESOLVING THEIR VISITATION OR PARENTING TIME PROBLEM. That the name, current address and telephone

number of the custodial parent where Notice of Hearing may be served is:

Name: _____

Address: _____ City _____ State _____ Zip _____

Area Code & Telephone Number _____

WHEREFORE, the undersigned requests the court to set this matter for hearing as soon as the court can hear the same and grant such orders as may be allowed by law to enforce movant's visitation or parenting time rights.

Dated this _____ day of _____, 200____.

Movant

Address

City, State, Zip Code

Area Code and Telephone Number

IN THE DISTRICT COURT OF MIAMI COUNTY, KANSAS

IN THE MATTER OF THE MARRIAGE OF:

Petitioner

vs.

Case No. _____

Respondent

NOTICE OF HEARING

Please take note that the above entitled matter has been set for the _____ day of _____, 200__, at _____ (a.m.)(p.m.) at the _____ County Courthouse, before the Honorable _____.

Petitioner

CERTIFICATE OF SERVICE AND MAILING

The undersigned hereby certifies that a true and correct copy of the above and foregoing Notice of Hearing was deposited in the United States mail, postage prepaid, addressed to:

(Respondent's address)

on this _____ day of _____, 200_____.

Petitioner

KANSAS PAYMENT CENTER – CHILD SUPPORT ORDER INFORMATION SHEET

As per Supreme Court Administrative Order No. 168 (amended), all new or modified non-IVD support orders filed in the Kansas district courts must be accompanied by this child support order information sheet.

P.O. Box 758599
Topeka, KS 66675-8599

Purpose: Federal law requires Kansas to process child support through a single location in the state. **To insure that processing of child support payments is not delayed, the Kansas Payment Center must have all information listed on the form below.**

Who submits this information sheet: The payee's attorney shall submit a child support order information sheet with any new or modified non-IVD support orders filed with the Clerk of the District Court.

Case Number: You must give the full, accurate case number, or payments may be delayed. The case number may be copied from the child support order.

Date: _____

Case Number: _____

Payer's Name: _____ Date of Birth: _____

Gender: Male/Female

SSN: _____ ***If SSN not known, give reason for unavailability of SSN:**

Address, City, State, Zip:

Payee's Name: _____ Date of Birth: _____

Gender: Male/Female

SSN: _____ ***If SSN not known, give reason for unavailability of SSN:**

Address, City, State, Zip:

Debt Type: CS Obligation Frequency: Weekly

(Circle one) MN (circle one) Bi-weekly

OT Semi-Monthly

Monthly

Obligation Amount: \$ _____ Start Date: _____

Child #1: Name: _____ Date of Birth: _____ Gender: Male/Female

SSN: _____ (If SSN known, please provide)

Child #2: Name: _____ Date of Birth: _____ Gender: Male/Female

SSN: _____ (If SSN known, please provide)

Child #3: Name: _____ Date of Birth: _____ Gender:
Male/Female

SSN: _____ (If SSN known, please provide)

Third Party Payee: _____ Date of Birth: _____ Gender:
Male/Female

SSN: _____ (*If SSN not known, give reason for
unavailability of SSN)

Address, City, State, Zip:

***Absent extenuating circumstances as determined by the Kansas Payment Center, Payers' and Payees'**

Social Security Numbers must be provided on this form.

Revised date: 6/20/06

Form Completed By: _____