

§ 12.10 Docketing Statement—Civil

IN THE (SUPREME COURT) (COURT OF APPEALS) OF THE STATE OF KANSAS

Case Caption: County Appealed From: _____
 District Court Case No(s): _____
 Proceeding Under Chapter: _____
 Party Filing Appeal: _____
 Party or Parties who will Appear as Appellees: _____

DOCKETING STATEMENT—CIVIL

The docketing statement is used by the court to determine jurisdiction and to make calendar assignments pursuant to Rules 7.01(c) and 7.02(f). This is not a brief and should not contain argument or procedural motions.

1. Civil Classification: From the list of civil topic sub-types listed below, choose the one which best describes **primary** issue in this appeal. _____
2. Proceedings in the District Court:
 - a. Trial Judge from whose decision this appeal is taken: _____
 - b. List any other judge who has signed orders or conducted hearings in this matter:

 - c. Was this case disposed of in the district court by:
 - _____ Jury trial
 - _____ Bench trial
 - _____ Summary Judgment
 - _____ Dismissal
 - d. Length of trial, measured in days (if applicable): _____

- e. State the name of each court reporter and/or transcriptionist who has reported or transcribed any or all of the record for the case on appeal. (This is not a substitute for a request for transcript served on the individual reporter or transcriptionist pursuant to Rule 3.03.)

- f. State the legal name of all entities who are NOT listed in the case caption (including corporations, associations, parent, subsidiary, or affiliate business entities) who are parties or who have a direct involvement in the case on appeal:

- g. State the name, address, and telephone number of every attorney who has represented a party in district court if that attorney's name does NOT appear on the certificate of service attached to this docketing statement. Clearly identify each party represented.

3. Jurisdiction:

- a. Date journal entry or judgment form filed: _____
- b. Is the order appealed from a final order, *i.e.*, does it dispose of the action as to all claims by all parties? _____
- c. If the order is not a final disposition as to all claims by all parties, did the district court direct the entry of judgment in accordance with K.S.A. 60-254(b)?: _____
If applicable, date K.S.A. 60-254(b) certificate filed: _____
- d. Date any post-trial motion filed: _____
- e. Date disposition of any post-trial motion filed: _____
- f. Date notice of appeal filed in district court: _____

- g. Other relevant dates necessary to establish this court's jurisdiction to hear the appeal, *i.e.*, decisions of administrative agencies or municipal courts and appeals therefrom:

- h. Statutory authority for appeal: _____

- i. Are there any proceedings in any other court or administrative agency, state or federal, which might impact this case or this court having jurisdiction (yes or no)? _____
If "yes," identify the court or agency where the related proceeding is pending. List the case captions and the case or docket numbers.

4. Constitutional Challenges to Statutes or Ordinances:

Was any statute or ordinance found to be unconstitutional by the trial court (yes or no)? _____ If "yes," what statute or ordinance? _____

5. Related Cases/Prior Appeals:

- a. Is there any case now pending or about to be filed in the Kansas Appellate Courts which:

(1) Arises from substantially the same case or controversy as this appeal (yes or no)? _____ If "yes," give case caption and docket number.

(2) Involves an issue that is substantially the same, similar or related to an issue in this appeal (yes or no)? _____ If "yes," give case caption and docket number.

- b. Has there been any prior appeal involving this case or controversy (yes or no)? _____
If "yes," give caption and docket number. _____

6. Brief statement (less than one page), without argument, of the material facts. This is not intended to be a substitute for the factual statement which will appear in the brief.

7. Concise statement of the issues proposed to be raised. You will not be bound by this statement but should include issues now contemplated. Avoid general statements such as "the judgment is not supported by the law."

Attorney's Signature

Attorney's Name (typed or printed)

Kansas Attorney Registration Number

Address

Telephone Number

FAX Number

Name of the Party Represented

Date: _____

ATTACH PROOF OF SERVICE

(List all parties served, including name, address, and who they represent.)

CIVIL TOPIC SUB-TYPES: Select the one sub-type which best describes this appeal.

See question 1 above.

Administrative—KS Corporation Commission

Administrative—Licensing

Administrative—Public Utility Rate Case

Administrative—Taxation

Administrative—Workers Compensation

Administrative—Other

Certified Question

Children—Adoption

Children—CINC

Children—Termination of Parental Rights

Conservators/Conservatorships

Constitutional Law

Contracts

Creditors and Debtors

Damages—Personal Injury

Damages—Property

Damages—Punitive

Divorce

Election Contest

Eminent Domain

Employment

Governmental Immunity

Habeas—appeal from district court

Insurance

Jurisdiction

Juvenile Offenders Code

K.S.A. 60-1507
Libel and Slander
Mandamus—appeal from district court
Negligence
Oil and Gas
Personal Property
Probate
Procedure
Quo Warranto—appeal from district court
Real Property
Statutory Interpretation or Construction
Teacher Employment/Due Process
Torts (specify sub-type)
Wrongful Death
Zoning
Other (please specify): _____

