

Rule 139

DOMESTIC RELATIONS AFFIDAVIT; SUPPORT ORDER AND PAYMENT

- (a) **Domestic Relations Affidavit Required in Divorce, Annulment, or Separate Maintenance Case.** All parties — including unrepresented parties — in a divorce, annulment, or separate maintenance case must prepare and file a domestic relations affidavit on the form set forth in the appendix of the Kansas Child Support Guidelines. In a contested case, the parties must exchange domestic relations affidavits before trial.
- (b) **Domestic Relations Affidavit Required in Matter Involving Support.** A domestic relations affidavit must be included with:
- (1) an *ex parte* motion that includes a request for temporary support;
 - (2) a motion to modify an existing support order; and
 - (3) a response or answer challenging:
 - (A) a support order; or
 - (B) facts contained in a domestic relations affidavit.
- (c) **When Child Support Worksheet Required.** When child support is an issue, a child support worksheet — on the form set forth in the appendix of the Kansas Child Support Guidelines — must accompany the domestic relations affidavit.
- (d) **No *Ex Parte* Order Without Required Attachment.** An *ex parte* support order may not be issued in the absence of an accompanying domestic relations affidavit or child support worksheet required under subsection (b) or (c).
- (e) **Service.**
- (1) ***Ex Parte* Order.** A copy of an *ex parte* support order — and any accompanying domestic relations affidavit or child support worksheet if required under subsection (b) or (c) — must be served promptly on the individual to whom it is addressed.
 - (2) **Motion to Modify Support Order.** A party filing a motion to modify a support order must serve the motion, along with a copy of the domestic relations affidavit — and a copy of the child support worksheet if the order is for child support — on the adverse party.
- (f) **Filing and Service of Required Document in Response to Motion to Modify.** A person challenging a motion to modify a support order or facts contained in an accompanying domestic relations affidavit or child support worksheet must file and serve a domestic relations affidavit — and a child support worksheet if the motion seeks to modify child support — prior to the hearing on the motion to modify.

- (g) **Support Payment.** Unless the court orders otherwise, every child support or spousal support payment — whether temporary or permanent — must be made to the Kansas Payment Center.