

Instructions for Divorce – Without Children

Only Pro-Se forms from our website or Kansas Judicial Council will be accepted-
www.dc18.org or <http://www.kansasjudicialcouncil.org/>

**Read Directions Completely – Please Type or Print Neatly
COURT STAFF CANNOT PROVIDE ASSISTANCE OR ADVICE IN
COMPLETING FORMS**

Only single-sided documents are accepted. DO NOT print double sided

CONTENTS: Instructions (3 pages);
Civil Information Sheet (1 page);
Petition (2 pages);
Rule 401 Affidavit (1 page);
Temporary Order (5 pages);
Notice of Intent to Appear (1 pages);
Domestic Relations Affidavit (6 Pages);
Entry of Appearance & Waiver of Service (1 page);
Summons (1 page);
Affidavit of Petitioner (1 page)
Decree of Divorce (5 pages); and
Certificate of Divorce or Annulment (1 page)

Caution: Use of forms without the assistance of a lawyer could harm your legal rights. You may want to have a lawyer review your completed forms before you file them with the court. These are basic forms and may not cover every situation.

1. Petitioner: Complete the Civil Information Sheet (Person Filing Petition will always be designated the Petitioner; Respondent is person who has been filed against and will always be designated the Respondent). **All self-represented parties must include an email address.**

Items 2 through 5: No line can be blank. If it states “____Husband ____Wife” you must check whatever is applicable.

2. Petitioner: Complete the Petition except for the case and court numbers..
Sign the Petition in front of a Notary.

3. Petitioner: Complete the Temporary Order and bring for Judge’s signature.

4. Petitioner: Complete Rule 401 Affidavit for Ex Parte Temporary Order.
Sign in front of a Notary.

5. Petitioner: Complete the Domestic Relations Affidavit—this can be filled out by both parties together for filing or separately. **Sign in front of a Notary.**

6. Petitioner: Prepare the Notice of Intent to Appear with your case caption at the top.

7. Petitioner: Prepare the Entry of Appearance and Waiver of Summons with your case caption at the top.

There will be a judge available to review and approve your paperwork, including Temporary Orders, Monday through Friday from 9:00 a.m. to noon and from 1:30 p.m. to 4:00 p.m.

Your paperwork must be completely and correctly filled out.

Volunteer attorneys are available to assist you, free of charge, on Monday mornings, 9:00 a.m. to noon; and on Wednesday afternoons, 1:00 p.m. to 4:00 p.m.

Incomplete or incorrect paperwork will be rejected by the court.

8. File the original and 2 copies of Items 2 through 7 with the Clerk of the District Court (4th floor of the Sedgwick County Courthouse). Copies can be made on the 4th floor for a fee.

The filing fee is \$197.00. It can be paid by money order, cashier's check, cash or personal check.

9. Obtain case and court numbers from the Clerk of the District Court when you file.

10. **You are required to serve the other party with copies of all documents and give them notice of the divorce action.** Service can be accomplished by: waiver, sheriff's service, special process server, certified mail-return receipt or by publication.

a) **By Waiver:** Respondent completes the Entry of Appearance and Waiver of Service and **signs it in front of a Notary or Deputy Clerk.** If the Respondent is given a copy of the Petition before it is filed he/she may complete and sign (**notarized**) the Entry of Appearance and Waiver of Service and it may be filed at the same time as the Petition; or

b) **By Sheriff's Service:** Complete a Summons provided with this packet. File it along with a \$15.00 money order, cashier's check or cash payable to (*Name of County where service will take place*)_ County Sheriff's Office. The Clerk will issue the paperwork to the Sheriff's Office; or

c) **By Special Process Server:** Petitioner should look in the yellow pages of the phone book under "Process Servers;" or

d) **By Mail:** Complete a Summons provided with this packet and mail it along with a copy of Items 2 through 9 to Respondent. Mail the paperwork by certified mail– return receipt requested. The form: Affidavit of Service By Certified Mail and the Postal Form: Return of Service for Certified Mail, **must** be filed with the Clerk of the District Court after service by certified mail (green card) is returned to you. **Respondent must sign for documents.** You can mail the documents with "restricted delivery" to make sure Respondent is the one who signs; or

e) **By Publication:** If the Respondent cannot otherwise be located, service on the Respondent can be obtained by publication. To obtain service by publication, Petitioner can pick up the appropriate forms from the Clerk. **NOTE: Service by Publication may not be sufficient to transfer title to real estate without court approval.**

SECOND PHASE—NO SOONER THAN 60 DAYS AFTER THE FILING OF THE INITIAL PETITION

11. **NO SOONER** than sixty (60) days **after** the filing of the Petition, the Decree of Divorce **must be filled out completely** and signed by the parties. NOTE: The parties do not have to sign the Decree in front of a Notary, and they may sign the Decree individually or together, and they may sign it either before or after Petitioner has brought the Decree to the courthouse.
12. **Proof of service**, by one of the methods listed in paragraph 10, must be filed at the time the final paperwork is presented to the Clerk.
13. Petitioner: Complete a Certificate of Divorce as it must be filed with the Clerk of the District Court at the time you file your Decree.
14. Petitioner: Complete the Affidavit of Petitioner and **sign it in front of a notary**. This Affidavit must be presented with the completed Decree of Divorce.
15. Decree of Divorce can be brought to the 4th Floor for approval Monday through Friday from 8:00 a.m. to 4:00 p.m.
16. After getting approval, you will proceed to the 4th Floor, Family Law Clerks Office to file your paperwork.
17. File the proof of service, original Decree, Affidavit, and the Certificate of Divorce with the Clerk of the District Court. After the judge has signed your Decree, make two copies of the Decree—one for yourself and you must mail one copy to the Respondent. If there is Title to Real Estate involved, you must file two extra copies with the Clerk of the District Court.

Additional District Court Clerk Fees That May Apply:

.25 Copies per page

1.00 Certified Copy of Paperwork

12.50 Garnishments

62.00 Motion Filing Fee

ATTENTION: If Divorce is not completed within 120 days, your case may be dismissed after proper notice from the Courts at the address provided by Petitioner at the time of filing.

EXHIBIT A

For Office Use Only

CIVIL COVER 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 (Click or mark in one circle 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

Real Property

Eminent Domain
Mortgage Foreclosure
Other Real Property

State Tax
Warrant

Miscellaneous

60-1507
Habeas Corpus
Other Writs

Other Civil

SMALL CLAIMS

CIVIL APPEALS

Administrative Agency
Other Civil Appeal

DOMESTIC

● Marriage Dissolution/Divorce
Other Domestic Relations

Protection from Abuse
Non-Divorce Support Custody or Visitation

Protection from Stalking

Paternity

UIFSA

PROBATE/ESTATE**Guardian/Conservator**

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

Adoption

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

Sheriff Out of State

County

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

EMAIL: _____

ALIAS NAMES USED: _____

ATTORNEYS

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

DEFENDANT /OTHER PARTY INFORMATION

(ATTACH ADDITIONAL SHEET, IF NECESSARY)

NAME: _____

ADDRESS: _____

PHONE: _____

SEX: _____

SSN

DOB

DL OR STATE ID NO: _____

State and Number

EMAIL: _____

ALIAS NAMES USED: _____

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.

IN THE 18TH JUDICIAL DISTRICT,
DISTRICT COURT SEDGWICK COUNTY, KANSAS
FAMILY LAW DEPARTMENT
IN THE MATTER OF THE MARRIAGE OF

and

Case No. _____

Pursuant to K.S.A. Chapter 23

PETITION FOR DIVORCE
(Without minor child(ren) of this marriage)

1. Petitioner is now and has been a resident in the State of Kansas for more than sixty (60) days before this Petition is filed and is currently a resident of Sedgwick County, Kansas.

2. Respondent is now living at:

Street address: _____

City, state, zip: _____

Telephone: _____

3. Petitioner and Respondent were married on the following date:
_____, _____ (marriage date and year) in the following city
and state: _____, and have been married since that
date.

4. Petitioner and Respondent should be divorced because they are incompatible, and they are no longer able to live together.

5. That venue in Sedgwick County, Kansas, is proper, and this Court has jurisdiction over both parties hereto and the subject matter herein.

6. Petitioner and Respondent do not now have any children born of the marriage who are under the age of eighteen (18) years, and Wife is not pregnant at the time this Petition is filed.

7. That Petitioner and Respondent have obtained property and debt during their marriage which should be distributed between the Petitioner and Respondent as they may agree, or if they are not able to agree, in such a manner as the Court may decide.

WHEREFORE, Petitioner prays that upon final hearing Petitioner be granted a divorce; that the property and debt of the parties be distributed between them; that



jurisdiction over spousal maintenance be reserved; and, that the Court issue such other orders as are appropriate.

Petitioner Pro Se (signature)

Street Address:_____

City, State, Zip:_____

Telephone:_____

Email:_____

VERIFICATION

STATE OF KANSAS
(COUNTY OF SEDGWICK) ss.

I swear or affirm, under penalty of perjury, that I am the Petitioner in this case, and that the statements made in this Petition are true.

Executed this_____day of_____, 2_____.

_____ Petitioner, Pro Se

SUBSCRIBED AND SWORN to before me, a Notary Public, this_____day of
_____, 2_____.

Notary Public

My appointment expires:_____

IN THE 18TH JUDICIAL DISTRICT,
DISTRICT COURT SEDGWICK COUNTY, KANSAS
FAMILY LAW DEPARTMENT

IN THE MATTER OF THE MARRIAGE OF

_____ and _____

Case No. _____

RULE 401 AFFIDAVIT FOR EX PARTE TEMPORARY ORDER (without children)

_____, of lawful age, states under oath:

1. _____ That I have moved out of the marital residence
_____ That the Respondent has moved out of the marital residence
_____ That neither party has moved out of the marital residence
2. _____ That I have alternative housing available
_____ That the Respondent has alternative housing available
_____ That neither party has alternative housing available
_____ That both parties have alternative housing available
3. _____ That I do not have financial resources to obtain alternative housing
_____ That the Respondent does not have financial resources to obtain alternative housing.
_____ That both parties have financial resources to obtain alternative housing
4. _____ That I have the following health conditions: _____
_____ That the Respondent has the following health conditions: _____
_____ That neither party has health conditions
5. That I am:
_____ employed full time
_____ employed part-time
_____ a stay at home parent
_____ unemployed
- That my spouse is:
_____ employed full time
_____ employed part-time
_____ a stay at home parent
_____ unemployed

Petitioner

STATE OF KANSAS, SEDGWICK COUNTY

BE IT REMEMBERED that on this _____ day of _____, 20__, before me a Notary Public, in and for said County and State, personally appeared, who is personally known to me to be the same person who executed the foregoing instrument, and duly acknowledged the execution of the same.

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

NOTARY PUBLIC

My appointment expires: _____



IN THE 18TH JUDICIAL DISTRICT,
DISTRICT COURT SEDGWICK COUNTY, KANSAS
FAMILY LAW DEPARTMENT

IN THE MATTER OF THE MARRIAGE OF

_____ and _____

Case No. _____

Pursuant to K.S.A. Chapter 23

TEMPORARY ORDER
(Without minor child(ren) of this marriage)

NOW on this _____ day of _____, 20____, comes the Petitioner, _____, (who is hereinafter designated as "____ **Husband** ____ **Wife**" or "Petitioner") and hereby requests that the Court issue proper temporary orders so that Petitioner and Respondent, _____, (who is hereinafter designated as "____ **Husband** ____ **Wife**" or "Respondent"), may temporarily live separate and apart from each other and make orderly provisions for the period of time until dismissal of this action, further order of this Court, or trial of this case. After reviewing the Court file and hearing statements of counsel, the Court ORDERS, ADJUDGES and DECREES:

I. SPOUSAL MAINTENANCE

A. _____ **Not Applicable**

B. _____ **Husband** _____ **Wife** is ordered to pay \$_____ per month as and for spousal maintenance of _____ **Husband** _____ **Wife** beginning _____. Said obligation shall terminate upon the death of either Husband or Wife. Said support shall be paid through the Kansas Payment Center at the address listed in Article IV.

II. ADDRESS FOR PAYMENTS AND ROLE OF COURT TRUSTEE

If spousal maintenance is awarded above, the address for support payments is as follows:

Kansas Payment Center

Box 758599

Topeka, KS 66675 8599



The case number shown on the first page of this order shall be placed on all checks or money orders and said checks or money orders shall be made payable to the Kansas Payment Center and include the county designation (SG).

The Kansas Payment Center shall forward said payments to receiving party at _____(city, state, zip) and it shall be the responsibility of the receiving party to inform the Clerk of any change in address.

No Court Trustee commission shall be credited for payments under the temporary order.

COLLECTION OF UNPAID SUPPORT

Should the payor fail to be current with the support obligations as set out herein so that there is an arrearage in an amount equal to or greater than the amount of support payable for two months, an income withholding order shall be issued by the Court upon proper application. The income withholding order shall require any payor of income to the party in arrears to withhold income from each pay period in the necessary and lawful amounts to pay the current support obligation and to reduce the accrued arrearage.

The above orders for support may be enforced by garnishment unless the paying party requests a hearing to contest the issuance of an Order of Garnishment within seven (7) days after the service of the within order of support upon the paying party.

III. RESIDENCE

A. _____ Not Applicable because parties are already separated.

B. _____ **Husband** _____ **Wife** shall have the temporary possession of the residence located at _____
_____ (city, state, zip) and the other party shall have vacated the said residence within forty-eight (48) hours after the service of this Order.

The _____ **Husband** _____ **Wife**, _____ (name of person leaving dwelling), is granted the right to remove from the dwelling personal effects necessary for personal hygiene and personal clothing for the leaving party in the primary residence.

The leaving party is hereby given notice that their return to said residence without the permission or upon the invitation of possessing party could be considered a Criminal Trespass under K.S.A. 21 3721 and appropriate municipal ordinance, for which he or she could be prosecuted.

If the leaving party has not voluntarily vacated this dwelling after forty-eight (48) hours of being served with the Temporary Orders, then any duly authorized law enforcement officer of the State of Kansas is requested to use reasonable and necessary means to evict the leaving party from this dwelling.

IV. PERSONAL PROPERTY

A. Husband shall remain in temporary possession of the following items of property:

All Personal Property now in his possession

Vehicle (describe):

The following items of personal property in the residence:

B. Wife shall remain in temporary possession of the following items of property:

All Personal Property now in her possession

Vehicle (describe):

The following items of personal property in the residence:

C. All duly authorized law enforcement officers of the State of Kansas are requested to use reasonable and necessary means to prevent _____ **Husband** _____ **Wife** from interfering with the leaving party's removal of his/her personal clothing and such personal effects as set forth herein.

V. DEBTS

A. _____ The parties have no joint debts.

B. Husband shall be temporarily responsible for the periodic payment of the following joint debts:

| (Description of loan) | (Bank/Lender) | (Approx. Amount) |
|-----------------------|---------------|------------------|
| Vehicle loan: | | |
| | | |
| | | |
| | | |
| | | |
| | | |

C. Wife shall be temporarily responsible for the periodic payment of the following joint debts:

| (Description of loan) | (Bank/Lender) | (Approx. Amount) |
|-----------------------|---------------|------------------|
| Vehicle loan: | | |
| | | |
| | | |
| | | |
| | | |
| | | |

D. Each party shall be responsible for their individual debts and obligations incurred after the date the Petition herein is filed.

VI. RESTRAINT

The parties are jointly restrained and enjoined from molesting or interfering with the privacy or rights of each other in any manner. Furthermore, they are restrained from disposing, encumbering or changing the nature of any property of the parties or of each of them without prior Court approval other than for reasonable living expenses or attorney fees.

In addition, the parties are restrained and enjoined from canceling any utility services and/or deposits or canceling or modifying (including changing beneficiaries) of any existing pension benefits, medical, health, automobile, homeowner's or renter's, life, or disability insurance coverage's involving any family members or their property.

VII. RECONCILIATION

In event of a reconciliation of the parties before trial, the filing party shall promptly notify his or her attorney, or if petitioner does not have an attorney, shall promptly prepare and present to this Court a Journal Entry of Dismissal.

VIII. ENFORCEMENT

Nothing in this Temporary Order shall be construed as a final decision concerning the property or rights of either party. The ultimate decision relating to all such matters will be made at the time of trial. This Temporary Order shall remain in effect until the trial of this case unless modified by the Court upon the motion of either party.

DISOBEDIENCE OF THIS ORDER OF THE COURT IS PUNISHABLE AS INDIRECT CONTEMPT OF COURT AND MAY BE PUNISHED BY CONFINEMENT IN JAIL.

Any duly authorized law enforcement officer of the State of Kansas is directed to use reasonable and necessary means to enforce the provisions of this Temporary Order.

IX. HEARING

Respondent may appear before this Court at 9:30am on Monday mornings, on the 4th floor of the Sedgwick County Courthouse, 525 North Main, Wichita, Kansas, for the purpose of modifying any of the orders contained herein.

If **Respondent** intends to appear, the other parties' attorney, or if not represented, the other party, must be notified by **Respondent** by completing and filing a **Notice of Intent to Appear** and a verified **Domestic Relations Affidavit** with the Clerk of the Court and by serving a copy of those forms to the other parties' attorney, or if not represented, to the other party, not later than seven (7) business days before the time specified for the court hearing.

**JUDGE OF THE DISTRICT COURT
FAMILY LAW DEPARTMENT**

APPROVED:

Petitioner, Pro Se

**IN THE 18TH JUDICIAL DISTRICT,
DISTRICT COURT SEDGWICK COUNTY, KANSAS
FAMILY LAW DEPARTMENT**

IN THE MATTER OF THE MARRIAGE OF

_____ and _____

Case No. _____

Pursuant to K.S.A. Chapter 23

NOTICE OF INTENT TO APPEAR

This is to notify you that I intend to appear to seek modification of the Temporary Order at 9:30 am Monday on the ____ day of _____, 20____, at the fourth floor of the Sedgwick County Courthouse, 525 North Main, Wichita, Kansas, for the following reason(s): (Check all that apply, much check at least one) pursuant to K.S.A. 10-207(b).

____ SPOUSAL SUPPORT ____ PROPERTY DIVISION

____ OTHER, PLEASE LIST _____

Husband/Wife (Respondent)

Address

Telephone

Email

FILE ORIGINAL WITH CLERK OF THE DISTRICT COURT, 4TH FLOOR, SEDGWICK COUNTY COURTHOUSE, AND MAIL A COPY TO:

(NAME OF ATTORNEY FOR PETITIONER OR PETITIONER PRO SE)

(ADDRESS)

CERTIFICATE OF SERVICE

I hereby certify that on the ____ day of _____, 20____, I mailed a copy of the above Notice of Intent to Appear to the Attorney or Petitioner Pro Se named above at the address given above by Certified Mail—Return Receipt Requested.

Respondent (Signature)

IN THE MATTER OF THE MARRIAGE OF

Petitioner

and

Respondent

Case No. _____

Pursuant to K.S.A. Chapter 23

To be used in a DIVORCE WITHOUT CHILDREN:

DOMESTIC RELATIONS AFFIDAVIT OF _____ (name)

1. Petitioner's Residence _____

Petitioner's _____
Birth Month/Year XXX-XX-____ Social Security Number Telephone _____
2. Respondent's Residence _____

Respondent's _____
Birth Month/Year XXX-XX-____ Social Security Number Telephone _____
3. Date of Marriage: _____
4. Number of Marriages: _____
Mother _____ Father _____
5. Petitioner is employed by _____

Respondent is employed by _____

(Include name and address of employers)

Monthly income as follows:

| A. Wage Earner | | Petitioner | Respondent |
|----------------|--|------------|------------|
| 1. | Gross Income | \$ _____ | \$ _____ |
| 2. | Other Income | \$ _____ | \$ _____ |
| 3. | Subtotal Gross Income | \$ _____ | \$ _____ |
| 4. | Federal Withholding (Claiming _____ exemptions) | \$ _____ | \$ _____ |
| 5. | Federal Income Tax | \$ _____ | \$ _____ |
| 6. | OASDHI | \$ _____ | \$ _____ |
| 7. | Kansas Withholding | \$ _____ | \$ _____ |
| 8. | Subtotal Deductions | \$ _____ | \$ _____ |
| 9. | Net Income | \$ _____ | \$ _____ |



| B. | Self-Employed | Petitioner | Respondent |
|-----|---|------------|------------|
| 1. | Gross Income from self-employment | \$ _____ | \$ _____ |
| 2. | Other Income | \$ _____ | \$ _____ |
| 3. | Subtotal Gross Income | \$ _____ | \$ _____ |
| 4. | Reasonable Business Expenses (Itemize on attached exhibit) | \$ _____ | \$ _____ |
| 5. | Self-Employment Tax | \$ _____ | \$ _____ |
| 6. | Estimated Tax Payments (Claim _____ exemptions) | \$ _____ | \$ _____ |
| 7. | Federal Income Tax | \$ _____ | \$ _____ |
| 8. | Kansas Withholding | \$ _____ | \$ _____ |
| 9. | Subtotal Deductions | \$ _____ | \$ _____ |
| 10. | Net Income | \$ _____ | \$ _____ |
| 11. | (Line B.3. minus Line B.9.) | | |

Pay period: _____
Petitioner
Respondent

| 6. | The liquid assets of the parties are: | | Joint or Individual (Specify) |
|----|--|----------|----------------------------------|
| | Item | Amount | |
| A. | Checking Accounts (Do not list account numbers): | | |
| | _____ | \$ _____ | _____ |
| | _____ | \$ _____ | _____ |
| B. | Savings Accounts (Do not list account numbers): | | |
| | _____ | \$ _____ | _____ |
| | _____ | \$ _____ | _____ |
| C. | Cash | | |
| | Petitioner | \$ _____ | _____ |
| | Respondent | \$ _____ | _____ |
| D. | Other | | |
| | _____ | \$ _____ | _____ |
| | _____ | \$ _____ | _____ |

7. 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 | Petitioner (Actual or Estimated) | Respondent (Actual or Estimated) |
|----|----------------------|-------------------------------------|-------------------------------------|
| 1. | Rent (if applicable) | \$ _____ | \$ _____ |
| 2. | Food | \$ _____ | \$ _____ |
| 3. | Utilities/services | | |
| | Trash Service | \$ _____ | \$ _____ |
| | Newspaper | \$ _____ | \$ _____ |
| | Telephone | \$ _____ | \$ _____ |
| | Mobile Phone | \$ _____ | \$ _____ |
| | Cable | \$ _____ | \$ _____ |
| | Gas | \$ _____ | \$ _____ |
| | Water | \$ _____ | \$ _____ |

| | | |
|-----------------------------|----------|----------|
| Lights | \$ _____ | \$ _____ |
| Other | \$ _____ | \$ _____ |
| 4. Insurance | | |
| Life | \$ _____ | \$ _____ |
| Health | \$ _____ | \$ _____ |
| Car | \$ _____ | \$ _____ |
| House/Rental | \$ _____ | \$ _____ |
| Other | \$ _____ | \$ _____ |
| 5. Medical and dental | \$ _____ | \$ _____ |
| 6. Prescriptions drugs | \$ _____ | \$ _____ |
| 7. Clothing | \$ _____ | \$ _____ |
| 8. School expenses | \$ _____ | \$ _____ |
| 9. Hair cuts and beauty | \$ _____ | \$ _____ |
| 10. Car repair | \$ _____ | \$ _____ |
| 11. Gas and oil | \$ _____ | \$ _____ |
| 12. Personal property tax | \$ _____ | \$ _____ |
| 13. Miscellaneous (Specify) | | |
| _____ | \$ _____ | \$ _____ |
| _____ | \$ _____ | \$ _____ |
| _____ | \$ _____ | \$ _____ |
| 14. 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 monetary amount in each column; 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 Petitioner | Respondent |
|----------------------|---------------|-------------------|----------------------|----------|------------------------------|------------|
| _____ | _____ | _____ | _____ | \$ _____ | \$ _____ | \$ _____ |
| _____ | _____ | _____ | _____ | \$ _____ | \$ _____ | \$ _____ |
| _____ | _____ | _____ | _____ | \$ _____ | \$ _____ | \$ _____ |
| _____ | _____ | _____ | _____ | \$ _____ | \$ _____ | \$ _____ |
| _____ | _____ | _____ | _____ | \$ _____ | \$ _____ | \$ _____ |
| _____ | _____ | _____ | _____ | \$ _____ | \$ _____ | \$ _____ |
| Subtotal of Payments | | | | \$ _____ | \$ _____ | \$ _____ |
| Total | | | | \$ _____ | \$ _____ | \$ _____ |

a. Total Living Expenses

| Source | Petitioner (Actual or Estimated) | Respondent (Actual or Estimated) |
|--|-------------------------------------|-------------------------------------|
| 1. Total funds available (from No. 5) | \$ _____ | \$ _____ |

2. Total needed (from No. 8.A and B) \$ _____ \$ _____

3. Net Balance \$ _____ \$ _____

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

| Source | Petitioner | Respondent |
|-------------|------------|------------|
| _____ (+/-) | \$ _____ | \$ _____ |
| _____ (+/-) | \$ _____ | \$ _____ |
| _____ (+/-) | \$ _____ | \$ _____ |

FURNISH THE FOLLOWING INFORMATION IF APPLICABLE.

8. 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.

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

THE FOLLOWING NEED NOT BE FURNISHED IN POST JUDGMENT PROCEDURES.

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

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

10. 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 |
|----------------------|-----------|---------------------|------------------------|
| _____ | | | |
| _____ | | | |
| _____ | | | |
| _____ | | | |
| _____ | | | |

11. 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 |
|--------------------|---------|---------|----------------|-----------------|------------------------|
| | | | | | |
| | | | | | |
| | | | | | |

12. List health insurance coverage and the right, pursuant to ERISA §§ 601-608, 29U.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 |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

SIGNATURE OF PERSON SUBMITTING THIS DRA (Under Oath)

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/ _____

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

/s/ _____

Notary Public

My Appointment Expires:

IN THE 18TH JUDICIAL DISTRICT,
DISTRICT COURT SEDGWICK COUNTY, KANSAS
FAMILY LAW DEPARTMENT

IN THE MATTER OF THE MARRIAGE OF

_____ and _____

Case No. _____

Pursuant to K.S.A. Chapter 23

ENTRY OF APPEARANCE AND WAIVER OF SERVICE

COMES NOW the Respondent and voluntarily enters an appearance in this action. Respondent states that service of summons is waived and that Respondent acknowledges receipt of the Petition filed in this case, together with a copy of the proposed Decree of Divorce. Respondent agrees that this divorce action may be heard by the Court without any further notification to Respondent.

Respondent's signature
(Must be signed in presence of notary)

(Please print): Street Address: _____
City, State, ZIP: _____
Telephone number: _____

ACKNOWLEDGEMENT

STATE OF KANSAS)
COUNTY OF SEDGWICK) ss.

BE IT REMEMBERED that on this _____ day of _____, 20____, before me, a Notary Public, in and for said county and state, personally appeared the Respondent in this action, known by me to be the identical person who executed the foregoing instrument and acknowledged to me that he/she executed 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 written.

Notary Public My appointment expires: _____



IN THE EIGHTEENTH JUDICIAL DISTRICT
DISTRICT COURT, SEDGWICK COUNTY, KANSAS
FAMILY LAW DEPARTMENT

Plaintiff (s)

VS.

Defendant (s)

CASE NO.

SUMMONS

To the above-named Defendant:

You are hereby summoned and required to serve upon _____, plaintiff'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.

REASONABLE ACCOMMODATIONS WILL BE PROVIDED IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT.

Clerk of the District Court of Sedgwick County, Kansas



Dated _____

By _____, Deputy

RETURN ON SERVICE OF SUMMONS

I hereby certify that I have served the within summons:

[1] **Personal Service.** By delivering on the day of _____, _____, a copy of the summons and a copy of the petition to each of the within-named defendants _____

[2] **Residence Service.** By leaving on the _____ day of _____, _____, for each of the within-named defendants _____

a copy of the summons and a copy of the petition at the respective dwelling place or usual place of abode of such defendants with some person of suitable age and discretion residing therein.

[3] **Agent Service.** By delivering on the _____ day of _____, _____, a copy of the summons and a copy of the petition to each of the following agents authorized by appointment or by law to receive service of process _____

[4] **Residence Service and Mailing.** By leaving a copy of the summons and a copy of the petition at the dwelling house or usual place of abode and mailing by first-class mail to each of the following defendants a notice that such copy has been so left _____

[5] **Certified Mail Service.** I hereby certify that I have served the within summons: (1) By mailing on the _____ day of _____, _____, a copy of the summons and a copy of the petition in the above action as certified mail return receipt requested to each of the within-named defendants; (2) the name and address on the envelope containing the process mailed as certified mail return receipt requested were as follows: _____

By _____

[6] **Certified Mail Service Refused.** I hereby certify that on the _____ day of _____, _____, I mailed a copy of the summons and petition in the above action by first-class mail, postage prepaid, addressed to _____ at _____

By _____

[7] **No Service.** The following defendants were not found in this county: _____

Dated: _____, 20____.

Sheriff

By: _____ Deputy

IN THE 18TH JUDICIAL DISTRICT,
DISTRICT COURT SEDGWICK COUNTY, KANSAS
FAMILY LAW DEPARTMENT

IN THE MATTER OF THE MARRIAGE OF

_____ and _____

Case No. _____

Pursuant to K.S.A. Chapter 23

AFFIDAVIT OF PETITIONER

(Without minor children of this marriage)

STATE OF KANSAS)
) ss:
SEDGWICK COUNTY)

I, _____, of lawful age, being first duly sworn on oath state:

1. That I am the Petitioner in the foregoing matter;
2. That I have read the Petition and it is true and correct to the best of my belief and knowledge;
3. That the division of property and debt is fair just and equitable, and that in arriving at this decision I have taken into consideration the value of all assets, length of marriage, and source of property and debt;
4. That I am hereby requesting the Court approve the Property division provided therein;
5. That I hereby request the Court accept my testimony through this affidavit;
6. Further that I herein waive my right to a record.

FURTHER AFFIANT SAITH NAUGHT.

Petitioner

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

Notary Public

My appointment expires: _____



IN THE 18TH JUDICIAL DISTRICT,
DISTRICT COURT SEDGWICK COUNTY, KANSAS
FAMILY LAW DEPARTMENT

IN THE MATTER OF THE MARRIAGE OF

_____ and _____

Case No. _____

Pursuant to K.S.A. Chapter 23

TITLE TO REAL ESTATE
Involved ___ Yes ___ No

**JOURNAL ENTRY OF JUDGMENT
AND DECREE OF DIVORCE
(Without minor child(ren) of this marriage)**

NOW, on this _____ day of _____, 20__, the above matter comes before the Court for final hearing. Petitioner appears in person, pro se. Respondent **(does not appear) (appears in person) (appears through counsel)**, and does not contest these proceedings. Both parties consent to the waiving of a record. There are no other appearances.

WHEREUPON, after reviewing matters of record, and considering all of the pleadings, and otherwise being duly advised, the Court finds, orders and decrees:

1. The Petition in this case was filed on _____ (date).
2. More than sixty (60) days have passed since the filing of the Petition in this case.
3. Petitioner has been a bona fide resident of the State of Kansas for more than sixty (60) days preceding the filing of the Petition in this case
4. That the Respondent has received a copy of the Petition in this case by:

(CHECK ONLY ONE)

- ___ a) Written entry of appearance and waiver of summons;_
- ___ b) was served with summons by the Sedgwick County Sheriff;_
- ___ c) was served by special process server;_
- ___ d) was served with summons by certified-mail return receipt requested; or
- ___ e) was served by publication.



COLLECTION OF UNPAID SUPPORT

Should the payor fail to be current with the support obligations as set out herein so that there is an arrearage in an amount equal to or greater than the amount of support payable for two months, an income withholding order shall be issued by the Court upon proper application. The income withholding order shall require any payor of income to the party in arrears to withhold income from each pay period in the necessary and lawful amounts to pay the current support obligation and to reduce the accrued arrearage.

The above orders for support may be enforced by garnishment unless the paying party requests a hearing to contest the issuance of an Order of Garnishment within seven (7) days after the service of the within order of support upon the paying party.

13. RESIDENCE

Upon the filing of this Decree with the Clerk of the District Court, all Right Title And Interest to the Property described below will transfer to _____ **Husband** _____ **Wife**:

_____(city, state, zip),

with a legal description of _____

_____ with the value of the residence being \$_____.

For all out-of-county real estate, the parties are ordered to file Lis Pendence Notice in every county real estate is located.

This transfer of real property does not provide the non-possessing party of relief from any debt, as the lender or lien holder is not a party to this proceeding.

14. PERSONAL PROPERTY

A. Husband shall have permanent possession of the following items of property:

All Personal Property now in his possession

Vehicle (describe):

The following items of personal property in the residence:

B. Wife shall have permanent possession of the following items of property:

All Personal Property now in his possession

Vehicle (describe):

The following items of personal property in the residence:

Both parties will be awarded their own retirement benefits from any current or past employer, free and clear of any claim of the other.

19. DEBTS

☐ The parties have no joint debts.

☐ The parties shall be responsible for the respective debts listed below.

Husband shall be permanently responsible for the periodic payment of the following joint debts:

| (Description of loan) | (Bank/Lender) | (Approx. Amount) |
|-----------------------|---------------|------------------|
|-----------------------|---------------|------------------|

Vehicle loan:

Wife shall be permanently responsible for the periodic payment of the following joint debts:

| (Description of loan) | (Bank/Lender) | (Approx. Amount) |
|-----------------------|---------------|------------------|
|-----------------------|---------------|------------------|

Vehicle loan:

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

Both parties mutually agree that they shall execute such releases, bills of sale, deed or other instruments of transfer as may be necessary to comply with this Journal Entry of Judgment and Decree of Divorce. In the event of failure to do so within ten (10) days from the filing of this decree, then this decree shall operate as such a transfer.

The division of assets and liabilities, as described herein is fair, just and equitable.

20. (Optional) The wife's last name is restored to:_____.

21. The parties are prohibited from contracting marriage, within or outside the State of Kansas, with any third person until thirty (30) days from the date of the filing of this Journal Entry of Judgment and Decree of Divorce with the Clerk of the District Court, unless an appeal is taken, and then until 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.

IT IS SO ORDERED.

**JUDGE OF THE DISTRICT COURT
FAMILY LAW DEPARTMENT**

Approved by:

Petitioner Pro Se

Respondent Pro Se

Street Address

Street Address

City, State, ZIP

City, State, ZIP

Telephone Number

Telephone Number

Email

Email

CERTIFICATE OF DIVORCE OR ANNULMENT

CASE NUMBER

State File Number

| | | | | | |
|--|--|--|---|--|--|
| 1. HUSBAND'S NAME (First, Middle, Last) | | | 2. DATE OF BIRTH (Month, Day, Year) | | |
| 3. RESIDENCE-STATE | | | 4. COUNTY | | |
| 5. WIFE'S NAME (First, Middle, Last) | | | 6. WIFE'S LAST NAME PRIOR TO FIRST MARRIAGE | | |
| 7. DATE OF BIRTH (Month, Day, Year) | 8. RESIDENCE-STATE | | 9. COUNTY | | |
| 10. PLACE OF THIS MARRIAGE - STATE OR FOREIGN COUNTRY | 11. COUNTY | 12. DATE OF THIS MARRIAGE (Month, Day, Year) | 13. NUMBER OF CHILDREN UNDER 18 IN THIS HOUSEHOLD AS OF DATE IN ITEM 17 | | |
| 14. PETITIONER Husband Wife Both Other (Specify) _____ | | | 15. NAME OF PETITIONER'S ATTORNEY (Type) | | |
| 16. ATTORNEY'S ADDRESS (Street and Number or Rural Route, City or Town, State, Zip Code) | | | | | |
| 17. DATE DECREE FILED (Month, Day, Year) | 18. TYPE OF DECREE-(Specify) Divorce Annulment | 19. COUNTY OF DECREE | 20. DATE FILED BY STATE REGISTRAR (Month, Day, Year) | | |

THE INFORMATION BELOW WILL NOT APPEAR ON CERTIFIED COPIES OF THE RECORD.

K.S.A. 65-24228, REQUIRES THE DIVORCE REPORT TO INCLUDE THE SOCIAL SECURITY NUMBER OF BOTH PARTIES TO MAKE SUCH INFORMATION AVAILABLE TO THE SECRETARY OF SOCIAL AND REHABILITATION SERVICES FOR THE PURPOSE OF ESTABLISHING, MODIFYING, OR ENFORCING A SUPPORT OBLIGATION.

| | | | |
|---|---|---|--------------------------------------|
| 21. HUSBAND'S SOCIAL SECURITY NUMBER | | 22. WIFE'S SOCIAL SECURITY NUMBER: | |
| 23. NUMBER OF THIS MARRIAGE (First, Second, etc. <i>(Specify below)</i>) | | 24. IF PREVIOUSLY MARRIED, LAST MARRIAGE ENDED | |
| | | By Death, Divorce, or Annulment <i>(Specify below)</i> | Date <i>(Month, Day, Year)</i> |
| 23a. HUSBAND | 24a. HUSBAND | 24b. HUSBAND | |
| 23b. WIFE | 24c. WIFE | 24d. WIFE | |
| 25. HISPANIC ORIGIN (Check the box or boxes that best describes whether you are Spanish, Hispanic, or Latino. Check the "no" box if you are not Spanish, Hispanic or Latino.) | | 26. RACE (Check one or more boxes to indicate what race(s) you consider yourself to be.) | |
| 25a. HUSBAND | 25b. WIFE | <div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <p style="text-align: center;">26a. HUSBAND</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <p>White</p> <p>Black or African American</p> <p>American Indian or Alaska Native (Name of the enrolled or principal tribes) _____</p> <p>_____</p> <p>Asian Indian</p> <p>Chinese</p> <p>Filipino</p> <p>Japanese</p> <p>Other <i>(Specify)</i> _____</p> <p>_____</p> </div> <div style="width: 48%;"> <p>Korean</p> <p>Vietnamese</p> <p>Other Asian <i>(Specify)</i> _____</p> <p>_____</p> <p>Native Hawaiian</p> <p>Guamanian or Chamorro</p> <p>Samoan</p> <p>Other Pacific Islander <i>(Specify)</i> _____</p> <p>Unknown</p> </div> </div> </div> <div style="width: 48%;"> <p style="text-align: center;">26b. WIFE</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <p>White</p> <p>Black or African American</p> <p>American Indian or Alaska Native (Name of the enrolled) or principal tribes) _____</p> <p>_____</p> <p>Asian Indian</p> <p>Chinese</p> <p>Filipino</p> <p>Japanese</p> <p>Other <i>(Specify)</i> _____</p> <p>_____</p> </div> <div style="width: 48%;"> <p>Korean</p> <p>Vietnamese</p> <p>Other Asian <i>(Specify)</i> _____</p> <p>_____</p> <p>Native Hawaiian</p> <p>Guamanian or Chamorro</p> <p>Samoan</p> <p>Other Pacific Islander <i>(Specify)</i> _____</p> <p>Unknown</p> </div> </div> </div> </div> | |
| 27. EDUCATION (Check the box that best describes the highest degree or level of school completed.) | | | |
| 27a. HUSBAND'S EDUCATION | 8th grade or less | 9th - 12th grade; no diploma | High school graduate or GED |
| Unknown | Some College credit, but no degree | Associate degree (e.g., AA, AS) | Bachelor's degree (e.g., BA, AB, BS) |
| | Master's degree (e.g., MA, MS, MEd, MSW, MBA) | Doctorate (e.g., PhD, EdD) or Professional degree (e.g., MD, DDS, DVM, LLB, JD) | |
| 27b. WIFE'S EDUCATION | 8th grade or less | 9th - 12th grade; no diploma | High school graduate or GED |
| Unknown | Some College credit, but no degree | Associate degree (e.g., AA, AS) | Bachelor's degree (e.g., BA, AB, BS) |
| | Master's degree (e.g., MA, MS, MEd, MSW, MBA) | Doctorate (e.g., PhD, EdD) or Professional degree (e.g., MD, DDS, DVM, LLB, JD) | |