

Instructions for Paternity Case

Only Pro-Se forms from our website or the 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 for Paternity (3 pages);
Kansas Payment Center Sheet (1 page);
Motion for Temporary Order (Optional) (2 pages);
Proposed Parenting Plan (Optional) (7 pages);
Domestic Relations Affidavit (6 Pages);
Child Support Worksheet (3 pages);
Summons (1 page); and
Journal Entry & Decree of Paternity (4 pages);
Imputed Income Order (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. Plaintiff: Complete the Civil Information Sheet (Person Filing Petition will always be designated the Plaintiff; Defendant is person who has been filed against and will always be designated the Defendant). **All self-represented parties must include an email address.**

Plaintiff must complete paragraphs numbered 2 through 7 below. Your forms will not be approved until they are complete.

2. Complete the Petition except for the case and court numbers. **Sign the Petition in front of a Notary.**
3. Complete the Rule 402 Affidavit. **The affidavit must be signed in front of a notary.**
4. Complete the Motion for Temporary Orders and the Proposed Parenting Plan. Both of these are optional.
5. Complete the Domestic Relations Affidavit. **Sign in front of a Notary.**
6. Complete Child Support Worksheet. The Self Help Center has an app with software that can help you compute child support (called Bradley software), or you can request help from the volunteer attorney (limited hours).

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.

We encourage you to come in at those times, if you need their assistance.

Incomplete or incorrect paperwork will be rejected by the court.

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

The filing fee is \$197.00. It can be paid by money order, cashier's check, cash or personal check. **NOTE: If you obtain DCF benefits, you must prepare a third copy to file. It will be your responsibility to provide the third file stamped copy to your social worker.**

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

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

a) **By Waiver:** Defendant completes the Entry of Appearance and Waiver of Service and **signs it in front of a Notary or Deputy Clerk.** If the Defendant 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:** Plaintiff 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 Defendant. 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. **Defendant must sign for documents;** or

e) **By Publication:** If the Defendant cannot otherwise be located, service on the Defendant can be obtained by publication. To obtain service by publication, Plaintiff can pick up the appropriate forms from the Clerk.

SECOND PHASE—

10. **NO SOONER** than twenty (20) days **after service is complete**, the Decree of

Paternity **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 Plaintiff has brought the Decree to the courthouse.

11. **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.

12. A **Permanent Parenting Plan** must be filled out. NOTE: The parties do not have to sign the Permanent Parenting Plan in front of a Notary, and you may sign the Plan individually or together with the defendant, and you may sign it either before or after Plaintiff has brought the Plan to the courthouse.

13. Kids First Parenting Workshop Certificate needs to already be on file, or you may bring it with you to court to provide proof of attendance.

14. Decree of Paternity can be brought to the 4th Floor for approval Monday through Friday from 8:00 a.m. to 4:00 p.m.

15. After getting necessary signatures from the judge, you will proceed to the 4th Floor, Family Law Clerks Office to file your paperwork.

16. File the proof of service (if not already filed), original Decree, Permanent Parenting Plan, Child Support Worksheet, Kids First Parenting Workshop Certificate (if not already filed), Vital Statistics form, and the Kansas Payment Center sheet with the Clerk of the District Court.

After the Judge has signed your Decree, make two copies of the Decree and the Permanent Parenting Plan--one copy for yourself and you must mail one copy to the Defendant.

NOTE: If you are obtaining SRS assistance, you must prepare one extra copy to file, have it file stamped and provide this copy to your SRS social worker. If you choose to have the Court Trustee collect your support payments, you must prepare one extra copy to file, have it file stamped and provide this copy to the Court Trustee when you make your appointment with them.

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 Paternity Decree is not approved by the judge and filed with the clerk within 120 days of original filing, your case may be dismissed after proper notice from the Courts at the address provided by Plaintiff at the time of filing.