

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
(With 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. RESIDENCY

1. This Temporary Order applies to the following child(ren):

Full Name of Child

Sex

Birth Date and Age

SEE ATTACHED LIST FOR ADDITIONAL CHILD(REN) IF NEEDED: Yes No

Temp Order 1

Rev 1/19



A. LEGAL CUSTODY (Who makes important decisions for minor children)

1_____ The parties are granted joint legal custody of the minor child(ren) and shall consult with each other concerning decisions about the minor child(ren).

2_____ The Mother is granted sole legal custody of the minor child(ren) for the following reasons: _____

3_____ The Father is granted sole legal custody of the minor child(ren) for the following reasons: _____

B. RESIDENCY (Where the child resides)

1_____ The mother shall have primary residency.

The father shall have parenting time as set forth in the Temporary Parenting Plan filed herewith which is incorporated into this order as thought set forth in full.

2_____ The father shall have primary residency.

The mother shall have parenting time as set forth in the Temporary Parenting Plan filed herewith which is incorporated into this order as thought set forth in full.

3_____ The parties shall have shared residency, with each parent having equal or nearly equal blocks of parenting time as set forth in the Temporary Parenting Plan filed herewith which is incorporated into this order as though set forth in full.

C. Removal of the child(ren) from this State without permission of the Court is prohibited unless otherwise agreed in writing between the parties.

D. HOLIDAY SCHEDULE

The parties shall share the holidays as set forth in the Temporary Parenting Plan filed herewith which is incorporated into this order as thought set forth in full.

II. CHILD SUPPORT

A. _____. **Husband** _____ **Wife** is ordered to pay \$ _____ per month commencing _____ as and for support for the minor child(ren) of the parties, pursuant to the attached Child Support Worksheet. Said support shall be paid through the Kansas Payment Center at the address, which is set out below in Article IV.

The parties shall share all medical and dental expenses of the minor child(ren) which are not reimbursed or otherwise paid by health or dental insurance policies covering said child(ren) based on the relative percentage of the parties as stated on line D 2 of the Child Support Worksheet. This percentage payment is in addition to the child support obligation of both parties and the Court shall have jurisdiction to enter appropriate orders on this matter but payments made for these obligations need not be made through the Kansas Payment Center. However, the responsibility of proper record keeping of expenses and payments shall be upon the party making claims of either expense or payment.

B. _____. **Child Support Rights have been assigned to DCF**

III. 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.

IV. ADDRESS FOR PAYMENTS AND ROLE OF COURT TRUSTEE (CHECK ALL THAT APPLY)

A. _____. Not Applicable as to Spousal Support

B. _____. Spousal Support Payments

C. _____. Child Support Payments

D. _____. Child Support Rights have been assigned to DCF

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 one month or two months if only spousal support is ordered, 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.

V. 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 parent 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 and for any child(ren), as listed above in Article I, in the primary residence.

_____ **Husband** _____ **Wife** is hereby given notice that their return to said residence without the permission or upon the invitation of _____ **Husband** _____ **Wife** 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.

VI. 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.

VII. 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.

VIII. 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.

IX. 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.

X. 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.

XI. 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** and **Child Support Worksheet** 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