

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
(With 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.



5. Service of process upon Respondent has been duly accomplished, and is valid, binding and legal in all respects, and is hereby approved by the Court.

6. This Court has jurisdiction over the parties to and the subject matter of this divorce matter. More specifically, this Court has jurisdiction over the minor child(ren) of the parties, and said child(ren) are not a subject of litigation in any other jurisdiction.

7. Venue in Sedgwick County, Kansas is proper.

8. Petitioner and Respondent were married on (date) _____, and have been married since that date.

9. Petitioner and Respondent are incompatible, and they are hereby divorced on that ground.

10. There were _____ child(ren) born during this marriage. The initials and years of birth of the living child(ren) now under eighteen years of age are:

<u>Initials</u>	<u>YOB</u>
_____	_____
_____	_____
_____	_____
_____	_____

SEE ATTACHED LIST FOR ADDITIONAL CHILD(REN) IF NEEDED: ___Yes___No

11. LEGAL CUSTODY OF THE CHILD(REN):

- A. ___The parties are hereby awarded joint legal custody
- B. ___Mother is awarded sole legal custody of the minor child(ren)
- C. ___Father is awarded sole legal custody of the minor child(ren).

12. RESIDENCY OF THE CHILD(REN)

This Court hereby adopts the Permanent Parenting Plan of the parties which is filed separately herein, which designates **(choose one)**

- A. ___ Mother is awarded primary residency of the child(ren) with the Husband to have reasonable parenting.as set out in the permanent parenting plan of the parties.
- B. ___ Father is awarded primary residency of the child(ren) with the Mother to have reasonable parenting.as set out in the permanent parenting plan of the parties.
- C. ___ The parties have shared residency, with each parent having equal or nearly equal time and blocks of parenting time..

13. CHILD SUPPORT (CHECK ALL THAT APPLY)

A. ___Husband___Wife is ordered to pay \$ _____ per month commencing _____ (month/day/year) as and for support for the minor child(ren) of the parties. Said support shall be paid through the Kansas Payment Center at the address which is set out below in Section 15.

B. ___ Child Support Rights have been assigned to DCF

C. 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.

14. CLAIMING CHILDREN FOR INCOME TAX PURPOSES

The parties agree to the following arrangement regarding claiming the children for income tax purposes (CHECK ONLY ONE):

A. ___ The primary residential custodial parent is hereby allowed to claim the children for income tax purposes commencing in the current tax year and every year thereafter.

B. ___ The parties shall alternate claiming the child(ren) provided payor of child support obligation is current as of December 31st of year that payor is to claim the children with the primary residential custodial parent taking the even numbered years and the non-custodial parent taking odd numbered years. Parties shall complete IRS form 8332.

C. ___ (If parties have two minor children) Parties shall split claiming the children until first child reaches age 18; thereafter, they will alternate years with the primary residential custodial parent taking the first year. In order to utilize split claiming, payor of child support obligation must be current in that obligation as of December 31st of any year. Parties shall complete IRS form 8332.

D. ___ The Court makes no order for claiming children for income tax purposes.

15. SPOUSAL MAINTENANCE

A. _____ **Husband** _____ **Wife** is ordered to pay \$_____ per month as and for spousal maintenance of _____ **Husband** _____ **Wife** beginning _____ (date) for the period of _____ years and concluding on _____ (date). Said obligation shall terminate upon the death of either Husband or Wife or remarriage of the receiving party. Said support shall be paid through the Kansas Payment Center at the address set out below in Section 16.

B. _____ **Not Applicable**

16. ADDRESS FOR PAYMENTS AND ROLE OF COURT TRUSTEE

(CHECK ALL THAT APPLY)

- A. _____ **Not Applicable to Spousal Support**
- B. _____ **Spousal Support Payments**
- C. _____ **Child Support Payments**
- D. _____ **Child Support Rights have been assigned to DCF**

The address for support obligation payments is as follows:
Kansas Payment Center
Box 758599
Topeka, KS 66675-8599

IT IS FURTHER ORDERED that all child support payments shall be paid to the Kansas Payment Center, and a fee shall be deducted therefrom by the Kansas Payment Center to defray the expense of the operation of the Office of the District Court Trustee. All support payments shall be payable to the order of the Kansas Payment Center. 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 _____ **Husband** _____ **Wife** at _____ (city, state, zip) and it shall be the responsibility of the receiving party to inform the Clerk of any change in address.

IT IS FURTHER ORDERED that an income withholding order shall be issued immediately as required by K.S.A. 23-4,105 *et seq.* for the child support herein. The Office of the District Court Trustee shall immediately prepare the income withholding order, notice and answer forms for filing and service to the obligor's payer of income. Each party shall inform the Clerk of the District Court, in writing, of any change of name, residence and employer (with business address) within seven (7) days of a change.

IT IS FURTHER ORDERED that, until the commencement of withholding by a payer/employer, the obligor shall pay all child support payments required by the support order. Payments shall be remitted by the obligor to the Kansas Payment Center on or before the due date specified in the order.

17. 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.

18. 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:

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.

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 payment of the following joint debts:

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

Wife shall be permanently responsible for the 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