

Instructions for Divorce – With Children

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

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Summons (1 page);
Affidavit of Petitioner (1 page);
Decree of Divorce (7 pages);
Permanent Parenting Plan (7 pages);
Certificate of Divorce or Annulment (1 page);
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. 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. (Paragraph 7 may be omitted). **Sign the Petition in front of a Notary or a Deputy Clerk.**

3. Petitioner: Complete the Temporary Order and the Kansas Payment Center Sheet.

4. Petitioner: Complete the Temporary Parenting Plan.

5. Petitioner: Complete Rule 401 Affidavit for Ex Parte Temporary Order. **Sign in front of a Notary or a Deputy Clerk.**
6. 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 or a Deputy Clerk.**
7. Petitioner: Complete Child Support Worksheet.
8. Petitioner: Prepare the Order for Kids First Parenting Workshop. **Enrollment fee of \$60.00 must be paid at time of filing case (Cash or Money Order only).** This workshop must be attended by the Petitioner prior to the final decree being approved. No post-judgment motion filed by the Respondent shall be heard until the Respondent has completed the workshop.
9. Petitioner: Prepare the Notice of Intent to Appear with your case caption at the top.
10. Petitioner: Prepare the Entry of Appearance and Waiver of Summons with your case caption at the top.

Your paperwork must be completely and correctly filled out.

A volunteer attorney will be available to assist with the Child Support Worksheet and Domestic Relations Affidavit on Monday and Wednesday afternoons beginning at 1:00 p.m. They will only be able to assist a limited number of people during each session.

Incomplete or incorrect paperwork will be rejected by the court.

11. File the original of Items 2 through 9 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, credit card, or personal check. **NOTE: If you obtain DCF benefits, it will be your responsibility to provide a file stamped copy to your social worker.**

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

13. **You are required to serve the other party with copies of the pleadings 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;** or

e) By Publication: If you are not able to provide notice to the other party by:
1. having the sheriff deliver a copy of the papers, 2. getting the other person to sign a Voluntary Entry of Appearance, 3. hiring a special process server, or 4. sending notice by certified mail, you may be able to provide notice of the divorce by publishing the notice in a local newspaper. In order to obtain "publication service," you **must** request permission to do so by filing the "Affidavit for Service by Publication," and obtaining an order from the assigned judge allowing you to publish notice. After you obtain the signed "Order Allowing Service by Publication", you must then publish notice following the process set out in K.S.A. 60-307. You must obtain "proof of publication" from the newspaper and file the proof with the court. Court personnel cannot help you with this process.

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

14. **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.

15. **Proof of service**, by one of the methods listed in paragraph 13, must be filed at the time the final paperwork is presented to the Clerk.

16. A **Permanent Parenting Plan** must be filled out and signed by the parties. NOTE: The parties do not have to sign the Permanent Parenting Plan in front of a Notary, and they may sign the Plan individually or together, and they may sign it either before or after Petitioner has brought the Plan to the courthouse.

17. 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.

18. 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.

19. Petitioner: Complete the Affidavit of Petitioner and sign it in front of a notary or a Deputy Clerk. This Affidavit must be presented with the completed Decree of Divorce.
20. Decree of Divorce can be brought to the 7th floor for approval Monday through Friday from 8:00 a.m. to 4:00 p.m.
21. After getting approval, you will proceed to the 7th floor, Family Law Clerks Office to file your paperwork.
22. File the proof of service (if not already filed), original Decree, Affidavit, Parenting Plan, Kids First Parenting Workshop Certificate (if not already filed) 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 and the Permanent Parenting Plan--one copy for yourself and you must mail one copy to the Respondent.

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

CIVIL COVER SHEET

The civil cover 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 (Mark only one - If the case involves more than one of the following categories, indicate the category having the highest dollar value.)

<u>CIVIL</u> If a CH. 61: \$ _____ (Judgment Demand Amount)			
<u>TORT</u> <input type="checkbox"/> Asbestos Product Liability <input type="checkbox"/> Automobile Tort <input type="checkbox"/> Intentional Tort <input type="checkbox"/> Legal Malpractice <input type="checkbox"/> Medical Malpractice <input type="checkbox"/> Other Professional Malpractice <input type="checkbox"/> Premises Liability <input type="checkbox"/> Slander/Libel/Defamation <input type="checkbox"/> Tobacco Product Liability <input type="checkbox"/> Toxic/Other Product Liability <input type="checkbox"/> Other Tort	<u>CONTRACT</u> <input type="checkbox"/> Buyer Plaintiff <input type="checkbox"/> Employment Dispute - Discrimination <input type="checkbox"/> Employment Dispute - Other <input type="checkbox"/> Fraud <input type="checkbox"/> Landlord/Tenant - Forcible Detainer <input type="checkbox"/> Landlord/Tenant Dispute - Other <input type="checkbox"/> Seller Plaintiff (debt collection) <input type="checkbox"/> Other Contract <u>CIVIL APPEALS</u> <input type="checkbox"/> Administrative Agency <input type="checkbox"/> Other Civil Appeal <input type="checkbox"/> Tax Appeal	<u>REAL PROPERTY</u> <input type="checkbox"/> Eminent Domain <input type="checkbox"/> Mortgage Foreclosure <input type="checkbox"/> Other Real Property <input type="checkbox"/> Tax Foreclosure <u>MISCELLANEOUS</u> <input type="checkbox"/> 60-1507 <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> Other Writs <input type="checkbox"/> Name Change <input type="checkbox"/> Post Judgment Elevation LM to CV <input type="checkbox"/> Transfer Pre-Judgment LM to CV	<input type="checkbox"/> <u>STATE TAX WARRANT</u> <input type="checkbox"/> <u>OTHER CIVIL</u> <input type="checkbox"/> <u>SMALL CLAIMS</u>

DOMESTIC

<input type="checkbox"/> <u>MARRIAGE DISSOLUTION/DIVORCE</u>	<input type="checkbox"/> <u>PROTECTION FROM ABUSE</u>	<input type="checkbox"/> <u>PROTECTION FROM STALKING</u>	<input type="checkbox"/> <u>UIFSA</u>
<input type="checkbox"/> <u>OTHER DOMESTIC RELATIONS</u>	<input type="checkbox"/> <u>NON-DIVORCE SUPPORT, CUSTODY OR VISITATION</u>	<input type="checkbox"/> <u>PATERNITY</u>	
<input type="checkbox"/> <u>DOMESTIC FOREIGN JUDGMENT (OUT OF COUNTY)</u>			

PROBATE/ESTATE

<u>GUARDIAN/CONSERVATOR</u> <input type="checkbox"/> Conservatorship/Trusteeship <input type="checkbox"/> Guardianship - Adult <input type="checkbox"/> Guardianship - Minor <input type="checkbox"/> Guardian/Conservator - Adult <input type="checkbox"/> Guardian/Conservator - Minor <u>PROBATE RECORDS</u> <input type="checkbox"/> Probate Record - Other County <input type="checkbox"/> Probate Record - Other State	<input type="checkbox"/> <u>DETERMINATION OF DESCENT</u> <input type="checkbox"/> <u>SEXUALLY VIOLENT PREDATOR</u> <input type="checkbox"/> <u>DECEDENT ESTATE</u> <input type="checkbox"/> <u>REFUSAL TO GRANT LETTERS</u> <input type="checkbox"/> <u>FILING WILL AND AFFIDAVIT</u> <input type="checkbox"/> <u>OTHER PROBATE/ESTATE</u>	<input type="checkbox"/> <u>ADOPTION</u> <input type="checkbox"/> <u>FOREIGN ADOPTION</u> <input type="checkbox"/> <u>CARE AND TREATMENT</u> <input type="checkbox"/> <u>TERMINATION OF JOINT TENANCY</u> <input type="checkbox"/> <u>TERMINATION OF LIFE ESTATE</u>
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JURY DEMAND ☐ YES (Check yes only if jury demand is included in petition or as a separate pleading)
☐ NO

SUMMONS ATTACHED: ☐ YES **SHERIFF'S PROCESS FEE ATTACHED** ☐ YES
☐ NO ☐ NO

SERVICE BY: ☐ PROCESS SERVER/ATTORNEY
☐ SHERIFF IN STATE _____ (County)
☐ SHERIFF OUT OF STATE _____ (State)

PLAINTIFF/SUBJECT INFORMATION

(ATTACH ADDITIONAL SHEET, IF NECESSARY)

NAME: _____

ADDRESS: _____

PHONE: _____ SEX: _____

CELL PHONE: _____

E-MAIL: _____

SSN: _____ DOB: _____

DL OR STATE ID NO: _____
State and NumberALIAS 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: _____

CELL PHONE: _____

E-MAIL: _____

SSN: _____ DOB: _____

DL OR STATE ID NO: _____
State and NumberALIAS NAMES USED: _____
_____**ATTORNEYS**

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

Initials of Child

Sex

Birth Year and Age

SEE ATTACHED LIST FOR ADDITIONAL CHILDREN IF NEEDED: Yes ☐ No ☐

7. In the absence of an agreement between Husband and Wife, the Court should determine the appropriate legal custody for the parties' child(ren) and an appropriate schedule of parenting time with each parent.

8. Petitioner states the following information regarding the parties' minor child(ren) as required by the Uniform Child Custody Jurisdiction and Enforcement Act:

a. The present address at which the child(ren) live is: _____
_____(address, city, state).

b. During the past five years before this Petition was filed, the child(ren) lived at the following addresses with the adults listed:

<u>From Date</u>	<u>Until Date</u>	<u>City & State</u>	<u>Name, Address & Relationship of Custodian Then Living With Child(ren)</u>
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c . Have there ever been any other court cases, past or current, in this state or any other, regarding the custody of the minor child(ren)?

☐ Yes ☐ No

If other case(s) exist, please list below:

<u>City & State</u>	<u>Court Case Number</u>	<u>Court Name</u>
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9. The Court should determine what amount of child support is due as required by law. This Court has jurisdiction to make an order for the support and education of the living minor child(ren), and jurisdiction to make a child custody decree under the provisions of the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA).

10. 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; that orders relating to custody, parenting time and child support be made; 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: _____

Self-Represented Litigant Certification Form

By signing this form, I certify that the attached filing complies with the certification requirements in the Temporary Rule for Filing in a District Court by a Self-Represented Litigant.

I CERTIFY: *(You must complete this section.)*

- ☐ I signed the attached filing and provided my name, address, telephone number, email address (if available), and fax number (if available).

I ALSO CERTIFY: *(Only complete **one** of the next two sections.)*

- ☐ My document **does not contain prohibited personally identifiable information** (“PII”). I checked my document for PII and made sure that my document meets the requirements of the Temporary Rule. It meets those requirements because:

- ☐ my document does not include any of the items listed in [Supreme Court Rule 24\(b\)](#). *(This list is printed on the back of this form for reference.)*
- ☐ my document is a Kansas Judicial Council form and I have only provided information that is required on the form.
- ☐ the information in my document meets an exception in [Supreme Court Rule 24\(c\)](#). *(This list is printed on the back of this form for reference.)*

OR:

- ☐ My document **may contain prohibited PII**, but I am asking the court to file it confidentially under seal for the following reason: *(Choose one.)*
- ☐ the court entered a prior order on _____ that seals this document.
- ☐ the document I am filing now asks the court to issue an order to seal a different document that is not yet filed *(describe the document without using PII)*: _____.
- ☐ the document I am filing now asks the court to seal a document that is already filed in this case *(describe the document without using PII)*: _____.

Date: _____

Signature: _____

Name of Party: _____

Personally Identifiable Information – Supreme Court Rule 24(b)

- (1) the name of a minor who is not a named party in a case and, if applicable, the name of a person whose identity could reveal the name of a minor who is not a named party in a case;
- (2) the name of an alleged victim of a sex crime;
- (3) the name of a petitioner in a protection from abuse case;
- (4) the name of a petitioner in a protection from stalking, sexual assault, or human trafficking case;
- (5) the name of a juror or venire member;
- (6) a person's date of birth except for the year;
- (7) any portion of the following:
 - (A) an email address except when required by statute or rule;
 - (B) a computer username, password, or PIN; and
 - (C) a DNA profile or other biometric information;
- (8) the following numbers except for the last four digits:
 - (A) a Social Security number;
 - (B) a financial account number, including a bank, credit card, and debit card account;
 - (C) a taxpayer identification number (TIN);
 - (D) an employee identification number;
 - (E) a driver's license or nondriver's identification number;
 - (F) a passport number;
 - (G) a brokerage account number;
 - (H) an insurance policy account number;
 - (I) a loan account number;
 - (J) a customer account number;
 - (K) a patient or health care number;
 - (L) a student identification number; and
 - (M) a vehicle identification number (VIN);
- (9) any information identified as personally identifiable information by court order; and
- (10) the physical address of an individual's residence.

Exceptions – Supreme Court Rule 24(c)

- (1) an account number that identifies the property alleged to be the subject of a proceeding;
- (2) the name of an emancipated minor;
- (3) information used by the court for case maintenance purposes that is not accessible by the public;
- (4) information a party's attorney or a self-represented litigant reasonably believes is necessary or material to an issue before the court;
- (5) the first name, initials, or pseudonym of any person identified in Rule 24(j)(2)(A) to (j)(2)(E);
- (6) any information required to be included by statute or rule; and
- (7) any information in a transcript.

NOTE: Supreme Court Rule 24 includes multiple comments that explain the rule's requirements and exceptions. The summary above is provided for reference, but you should read the rule with comments to fully understand the rule. You will find the full rule here:

<https://www.kscourts.org/KSCourts/media/KsCourts/Rules/Rule-24.pdf>



KANSAS PAYMENT CENTER CHILD SUPPORT ORDER INFORMATION SHEET

Purpose: Federal law requires Kansas to process child support through a single location in the state. To insure that processing of child support payments is not delayed, the KPC must have all information listed on the form below.

Who submits the completed form: The payee's attorney shall file the completed form along with the Journal Entry with the Clerk of the District Court per Kansas Supreme Court Administrative Order No. 154.

Case Number: You must give the full, accurate court order number, or payments may be delayed. The case number may be copied from the child support order. The case number format is as follows:

	County	Year	Case Type	Case Number
Example: SG 00D 000123	(SG)	(00)	(D)	(000123)

Please call your local Clerk of the District Court if you need additional information to complete this form.

THIS FORM MUST BE ATTACHED TO THE ORDER AND FILED WITH THE CLERK OF THE DISTRICT COURT.

PLEASE print or type all information.																																							
Case No.: SG _____ Interstate <div style="text-align: center;"> Circle One <input type="radio"/> Y <input type="radio"/> N </div>	Check if applicable: <input type="checkbox"/> Court Trustee Case	Check one: New case / order Modified order Filestamp Date of Order (above):																																					
Obligation Information <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 20%;"></th> <th style="width: 10%;">Support</th> <th style="width: 10%;">Amount</th> <th style="width: 10%;">Frequency</th> <th style="width: 10%;">Code</th> <th style="width: 10%;">Start</th> <th style="width: 10%;">Date</th> </tr> </thead> <tbody> <tr> <td>Current Child support due:</td> <td>\$</td> <td colspan="5">_____</td> </tr> <tr> <td>Current Maintenance (Alimony) due:</td> <td>\$</td> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>Other support due:</td> <td>\$</td> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td></td> <td>\$</td> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> </tbody> </table>				Support	Amount	Frequency	Code	Start	Date	Current Child support due:	\$	_____					Current Maintenance (Alimony) due:	\$	_____	_____	_____	_____	_____	Other support due:	\$	_____	_____	_____	_____	_____		\$	_____	_____	_____	_____	_____	Payment Frequency Codes (W) Weekly (B) Biweekly (M) Monthly (SM) Semi-monthly (Q) Quarterly (A) Annually (SA) Semi-Annually (L) Lump Sum	
	Support	Amount	Frequency	Code	Start	Date																																	
Current Child support due:	\$	_____																																					
Current Maintenance (Alimony) due:	\$	_____	_____	_____	_____	_____																																	
Other support due:	\$	_____	_____	_____	_____	_____																																	
	\$	_____	_____	_____	_____	_____																																	
Information about the PAYING parent																																							
NAME: (First, Middle Initial, Last):																																							
Social Security Number:		Date of Birth:		Phone:																																			
Address:		City:		State: Zip:																																			
Name of Employer:			Employer's Phone:																																				
Employer Address:		City:		State: Zip																																			
Information about the parent or person RECEIVING support																																							
NAME: (First, Middle Initial, Last):																																							
Social Security Number:		Date of Birth:		Phone:																																			
Address:		City:		State: Zip:																																			
Name of Employer:			Employer's Phone:																																				
Employer Address:		City:		State: Zip																																			
Information about the Third Party Payee																																							
NAME: (First, Middle Initial, Last):																																							
Social Security Number:		Date of Birth:		Phone:																																			
Address:		City:		State: Zip:																																			
Information about the CHILD(REN) covered by this support order:																																							
NAME (First and Last)		Social Security Number:		Date of Birth:																																			
1.																																							
2.																																							
3.																																							
4.																																							

Form Completed By: _____ Date: _____

NOTE: NOTIFY THE COURT TRUSTEE'S OFFICE IF THE ABOVE INFORMATION CHANGES.

PS-1722

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

**RULE 401 AFFIDAVIT FOR EX PARTE TEMPORARY ORDER
(with 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

6. _____ That sole legal custody of the minor child(ren) is not requested
7. _____ That I currently have residential custody of the minor child(ren)
 _____ That the Respondent currently has residential custody of the minor child(ren)
 _____ The Respondent and I currently have residential custody of the minor child(ren)
8. _____ That I have left the marital residence with the minor child(ren)
 _____ That I have left the marital residence without the minor child(ren)
 _____ That Respondent has left the marital residence with the minor child(ren)
 _____ That Respondent has left the marital residence without the minor child(ren)
 _____ That neither party has left the marital residence
9. _____ That the child(ren) has/have special needs, which I have been providing
 _____ That the child(ren) does/do not have special needs

 Petitioner

STATE OF KANSAS

ss.

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
(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):

Initials of Child

Sex

Birth Year and Age

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

Temp Order 1

Rev 2/24

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

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 7th 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).

☐ PARENTING TIME ☐ CUSTODY ☐ RESIDENCY
☐ CHILD SUPPORT ☐ SPOUSAL SUPPORT
☐ PROPERTY DIVISION ☐ OTHER, PLEASE LIST _____

Husband/Wife (Respondent)

Address

Telephone

Email

FILE ORIGINAL AND PAY PARENTING WORKSHOP FEE WITH CLERK OF THE DISTRICT COURT, 7TH 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.

Husband/Wife (Signature)

NOTE: If temporary support and/or custody, residency or parenting time have been ordered in the temporary order, the Clerk shall not accept a request for modification of same without the accompanying documents required by Rules 406 & 407.

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

IN THE MATTER OF THE MARRIAGE OF

(Plaintiff)
and

(Defendant)

Case No. _____

Pursuant to K.S.A. Chapter 23

____ TEMPORARY PARENTING PLAN
____ PERMANENT PARENTING PLAN

COMES NOW, the **(Mother)** **(Father)** **(Both Parties)**, and submits the following (proposed plan) (agreed plan of the parties) pursuant to K.S.A. 23-3211, et seq:

1. This parenting plan applies to the following child(ren):

Initials of Child

Sex

Birth Year and Age

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

2. **A. ____ Joint Legal Custody**—Both parents are fit and proper persons to have joint legal custody of the minor child(ren). It is in the best interest of the child(ren) that the parties jointly share in the care of the child(ren). The term “joint legal custody” means that both parents have equal rights and responsibilities regarding their child(ren) and that neither parent’s rights are superior to the other parent’s.

B. ____ Sole Legal Custody—Joint legal custody is not in the best interests of the child(ren). The parent granted sole legal custody has the primary right to decide matters regarding matters of health, education and welfare in the child(ren)’s best

interests. The parent not granted sole legal custody may make emergency decisions affecting the health or safety of the child(ren) when the child(ren) is in that parent's physical care and control. The grant of sole legal custody to one parent does not deprive the other parent access to information regarding the child(ren) unless the Court shall so order, stating the reasons for that determination.

Sole legal custody is granted to _____Mother____Father for the following reasons:

_____Agreement of the parents

_____The other parent is unable or should not be allowed to exercise any decision-making

_____There is such a high level of disagreement between the parents that one parent needs to be designated as the primary decision marker for the best interests of the child(ren) to be served.

_____There is a danger to the child(ren)

_____The____Mother____Father cannot be located

C. Restriction of Information Regarding the Child(ren) to Non Legal Custodian

_____ Not necessary at this time

_____The_____Mother_____Father is restrained from access to information regarding the child(ren) for the following specific reasons (such as agreement of the parties or serious danger to the child(ren) stating the specific reasons for a determination that the non- custodial parent should be restricted from access to information regarding the child(ren): _____

3. RESIDENCY

The parties adopt the following residency plan:

_____ **PRIMARY RESIDENTIAL** parent is _____Mother____Father, and shall have all weekdays and weekends not specifically set forth below.

OR

_____ **SHARED RESIDENCY**, with each parent having equal or nearly equal time and blocks of parenting time.

The parenting plan is as follows (COMPLETE ONLY 1 BOX)

If a PRIMARY RESIDENTIAL parent is designated, the Parenting Time for non-primary parent shall be:

A. _____ on a reasonable basis.

B. _____ the specific parenting time as follows:

Weekday: From _____ a.m./__p.m. on _____ (day of week) to _____
____a.m./__p.m. on _____ (day of week) starting on the _____ day of
____ 2 ____.

Weekends: _____ Each _____ Every other weekend: From _____ a.m./__p.m. on
____ (day of week) to _____ a.m./__p.m. on _____ (day of week)
starting on the _____ day of _____, 2 ____.

If SHARED RESIDENCY is used, the parenting schedule will be:

Week to week, with exchanges taking place on _____ (day of week)
at _____ (time), at _____ (location).

OR

_____ The parents will have the children on the following days:

Mom: From _____ a.m./__p.m. on _____ (day of week) to _____
____a.m./__p.m. on _____ (day of week) to _____ a.m./__p.m.
on _____ starting on the _____ day of _____ 2 ____.

Dad: From _____ a.m./__p.m. on _____ (day of week) to _____
____a.m./__p.m. on _____ (day of week) to _____ a.m./__p.m.
on _____ starting on the _____ day of _____ 2 ____.

OR

_____ The parties adopt the following shared residency plan:

4. HOLIDAYS

- A. ____ The parties shall share holidays on a reasonable basis
- B. ____ The schedule below will govern holidays. Insert “Mom” or “Dad” in all holidays the parties want to schedule.

HOLIDAY	EVEN	ODD
Mother’s Day	Mom	Mom
Father’s Day	Dad	Dad
Fall Break		
Thanksgiving (Monday or on last day of school at 6:00 p.m. until Sunday at 6:00 p.m.)		
Christmas eve, from Dec. 24 th at 6:00 p.m. to Dec. 25 th at 10:30 a.m.		
Christmas Day, from Dec. 25 th at 10:30 a.m. to Dec. 25 th at 8:00 p.m.		
Spring Break (Fri after school 6:00 p.m. until Sun before school 6:00 p.m.)		
Easter		
Memorial Day		
July 4 th		
Labor Day		
Halloween		
Children’s birthdays		

Holidays and special days specified above will have precedence over weekday and weekend visitation.

Holidays have priority over other special occasions.

There shall be no adjustment for “missed” weekends or weekdays due to interruption by specified holidays or special days. The parties are encouraged to compensate for missed weekends so that a parent will not go more than two weekends without having weekend parenting time.

5. Disputes between the parties, other than child support dispute, shall be submitted to:

☐ mediation by: _____ or

☐ domestic limited case management by: _____

The costs of this process shall be allocated between the parties as follows:

☐ Equally

or

☐ Based on each party's proportional share of income from line 6 of the Child Support Worksheets

or

☐ As determined in the dispute resolution process.

6. Changing of the Child(ren)'s Residence:

Removal from State or Change of Residence: Each party shall give the other written notice by restricted mail, return receipt requested, at his or her last known address not less than 30 (thirty) days prior to changing residence, or if the child(ren) is to be removed from the state of Kansas for in excess of ninety (90) days.

Notice of Removal or Change not Required: A parent is not required to give notice of removal from the state or change of residence to the other parent if the other parent has been convicted of a crime specified in Article 54 (crimes against persons), Article 55 (sex offenses), or Article 56 (crimes affecting family relationships and children) of Chapter 21 of the Kansas Statutes Annotated in which the child(ren) is the victim of such crime.

7. Transportation and transportation costs:

Responsibility for transportation and transportation costs, as it relates to parenting time, shall be as follows:

Transportation arrangements and costs shall be the responsibility of:

☐ Parent Exercising Visitation

☐ Shared Equally

Exchange Point: The exchange point for the child(ren) shall be:

☐ The home of the ☐ Mother ☐ Father

☐ Other: (Please specify) _____

8. Notice of Intent to Exercise or Not to Exercise Parenting Time:

___ The **Mother/Father (non-custodial parent)** shall notify the other parent _____ days in advance of the intent to **not** exercise scheduled parenting time.

If notification is not given, the subject parenting time will be considered waived.

___ Except for extreme and exceptional circumstances, a parent is not required to wait for the other parent more than 30 minutes before the parenting time is considered waived.

___ Other:

9. Telephone and Mail Contact Between Parent and Child(ren).

___ **Telephone Contact:** Each parent is allowed reasonable telephone access to their child(ren) at reasonable hours without interference from the other parent.

Telephone contact with a child(ren) should not be used as an opportunity by either parent to discuss issues not related to the child(ren) with the other parent. When telephone contact is attempted to be made with the child(ren), the child(ren) should either have direct access to the telephone or the telephone should be given directly to the child(ren) with a minimum of conversation between the parents unless necessary for discussion of matters related to that contact. Any parent shall not refuse to answer the phone, turn off the phone or put call block on the line in order to deny the other parent telephone contact with the child(ren). Each parent shall supply the other parent with current telephone numbers, where the child(ren) may be found or is/are staying.

___ **Mail and E-mail Contact:** Each parent with whom the child(ren) is not then living should have unlimited ability to contact each other by use of either regular United States mail or electronic mail, if such an account is available. The parent seeking mail contact must provide self-addressed stamped envelopes for the child(ren) to use. If available, current e-mail addresses where the child(ren) may be contacted shall be supplied to both parents by each parent. Where possible, reasonable computer access shall be allowed.

10. Other Considerations and Agreements:

11. That this parenting plan is in the best interest of the minor child(ren)

12. That, when mutual decision making is designated but cannot be achieved, the parties shall make a good faith effort to resolve the issue through the dispute resolution process. If a parent fails to comply with a provision of this plan, the other parent's obligations under the plan are not affected unless specifically ordered by the Court.

13. This arrangement shall remain in effect until further Order of the Court.

IT IS SO ORDERED.

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

Approved by:

Petitioner, Pro Se

Respondent, Pro Se

Address

Address

City, State, ZIP

City, State, ZIP

Telephone Number

Telephone Number

Email

Email

In the District Court of _____ County, Kansas

vs.

Case No. _____

CHILD SUPPORT DOMESTIC RELATIONS AFFIDAVIT

(To be used for Paternity Actions, Child Support Actions, and
Post-Judgment Motions to Establish or Modify Child Support)

Name: _____

This case involves these dependents:

Child 1: _____ Year of Birth: _____

Child 2: _____ Year of Birth: _____

Child 3: _____ Year of Birth: _____

Child 4: _____ Year of Birth: _____

Child 5: _____ Year of Birth: _____

Child 6: _____ Year of Birth: _____

CONTACT INFORMATION

Please provide the following information about yourself:

Home #: _____ Cell #: _____ Other phone #: _____

Email: _____

Current Mailing address: _____

CHILD(REN)

A. How many children live in your household currently? _____

B. How many children do you have that are not part of this court order? _____

C. What children reside with you in your home? ☐ none

Child 1: _____ Year of Birth: _____ Relationship: _____
Child 2: _____ Year of Birth: _____ Relationship: _____
Child 3: _____ Year of Birth: _____ Relationship: _____
Child 4: _____ Year of Birth: _____ Relationship: _____
Child 5: _____ Year of Birth: _____ Relationship: _____
Child 6: _____ Year of Birth: _____ Relationship: _____

D. For which children do you pay child support?

☐ None ☐ Court Order ☐ Verbal Agreement

Child 1: _____ Year of Birth: _____ State of order: _____
Child 2: _____ Year of Birth: _____ State of order: _____
Child 3: _____ Year of Birth: _____ State of order: _____

E. Do you have any parenting agreements for these children?

☐ None ☐ Court Order ☐ Verbal Agreement:

F. Who claims the child(ren) for tax purposes?

☐ _____ claims every year ☐ Alternate ☐ other arrangement ☐ Unknown
☐ No one

EDUCATION & TRAINING

Check all levels of education you have completed:

☐ G.E.D. ☐ High School Diploma ☐ Associate Degree ☐ Bachelor Degree
☐ Graduate Degree/Professional License/Trade/Certification: _____

YOUR CURRENT WORK & OTHER INCOME

I am currently:

☐ Not working ☐ Employed through an employer ☐ Have more than one job
☐ Self-Employed ☐ A stay-at-home parent ☐ Other: _____

Employer Name: _____ Employer Address: _____
Employer Phone: _____ Employer Fax: _____
Type of Work: _____ Position or Title: _____

☐ I am paid hourly; the amount is \$ _____ per hour. I usually work _____ hours each week.
☐ I am paid salary; the amount is \$ _____ every ☐ week ☐ two weeks ☐ month ☐ year

Please list information about any other jobs you currently have and/or information about previous jobs:

Type of job/position: _____ Wage/Salary: \$ _____
Type of job/position: _____ Wage/Salary: \$ _____

☐ I am in the military and receive \$_____ BAH and \$_____ BAS.

☐ I pay \$_____ for work-related expenses such as union dues or uniform.

Explain: _____

☐ I have \$_____ additional income (bonuses, commissions, side business, odd jobs, investments, etc.).

Explain: _____

I receive \$_____ ☐ Unemployment Compensation ☐ Workers Compensation

☐ Social Security Disability Insurance (SSDI) ☐ Supplemental Security Income (SSI)

☐ VA Disability ☐ Other Disability ☐ Other: _____

☐ I receive \$_____ each month Social Security benefits for a child on this case.

OTHER PARENTS' CURRENT WORK & OTHER INCOME

The other parent currently:

☐ Is not working ☐ Is employed through an employer ☐ Has more than one job

☐ Self-Employed ☐ A stay-at-home parent ☐ Other: _____

Employer Name: _____ Employer Address: _____

Employer Phone: _____ Employer Fax: _____

Type of Work: _____ Position or Title: _____

☐ The other parent is paid hourly; the amount is \$_____ per hour. The other parent usually works _____ hours each week.

☐ The other parent is paid salary; the amount is \$_____ every ☐ week ☐ two weeks ☐ month
☐ year

Please list information about any other jobs the other parent has and/or information about previous jobs:

Type of job/position: _____ Wage/Salary: \$ _____

Type of job/position: _____ Wage/Salary: \$ _____

☐ The other parent pays \$_____ for work-related expenses such as union dues or uniform.

Explain: _____

☐ The other parent has \$ _____ income from other sources (side business, odd jobs, investments, etc.).

Explain: _____

The other parent receives \$ _____ ☐ Unemployment Compensation
☐ Workers Compensation ☐ Social Security Disability Insurance (SSDI)
☐ Supplemental Security Income (SSI) ☐ VA Disability ☐ Other Disability
☐ Other: _____

☐ The other parent receives \$ _____ each month Social Security benefits for a child on this case.

Remember: Provide documentation for each type of employment and income.

IF YOU ARE NOT CURRENTLY WORKING

Have you had a job in the past? ☐ Yes ☐ No
If yes, when did you become unemployed? Month: _____ Year: _____
If yes, why did you become unemployed? ☐ I was laid off ☐ I was terminated ☐ I quit

Are you looking for work? ☐ Yes ☐ No and I do not plan to
☐ Not currently, but I plan to in the future

Please list information about your last 2 jobs (if applicable):

Type of job/position: _____ Wage/Salary: \$ _____
Type of job/position: _____ Wage/Salary: \$ _____

Do you have trouble gaining/keeping employment or are you looking for work? Explain:

If it applies, attach any proof of lay off or medical records affecting your ability to work

CHILDCARE AND HEALTH INSURANCE

Do you pay for child care for the child(ren) on this case? ☐ Yes ☐ No

For which child(ren)? _____

Does DCF pay any portion of the child care? ☐ Yes ☐ No If yes, how much? \$ _____

Do you pay child care: ☐ every month ☐ summer only ☐ after school only ☐ other: _____

How much do you pay for child care? \$ _____ ☐ each week ☐ every two weeks ☐ monthly

Remember: Attach receipts, a bill, a letter from a provider on business letterhead, or a notarized letter from a provider.

Who pays for the child(ren)'s health insurance?

☐ I carry the children's health insurance ☐ Medicaid ☐ The children have no insurance

☐ My current spouse carries the children's health insurance

☐ The other party on this case carries the children's insurance

☐ Someone else carries the children's health insurance

If you or your current spouse carry private health insurance for the children, we need your current plan info:

Insurance company name: _____

Insurance company address: _____

What type of plan is it? ☐ Employee only (Single) \$ _____

☐ Employee + children \$ _____ ☐ Family \$ _____ ☐ Other: _____

Plan effective date: _____ Policy #: _____ Group #: _____

List all dependents covered on the plan: 1) _____ 2) _____

3) _____ 4) _____ 5) _____

ADJUSTMENTS

I am requesting that my child support worksheet include the following adjustments:

☐ parenting time adjustment

☐ agreement past majority

☐ income tax consideration

☐ long distance parenting time

☐ special needs

☐ overall financial conditions

other: _____

SIGNATURE

I declare under penalty of perjury under the laws of the State of Kansas that the foregoing is true, correct and complete.

Signature: _____ Date: _____

Child Support Worksheet

IN THE _____ JUDICIAL DISTRICT
_____ COUNTY, KANSAS

IN THE MATTER OF

v. _____

Case No. _____

Pursuant to K.S.A. Chapter 23

CHILD SUPPORT WORK SHEET OF _____

Party Name Party Name

A. INCOME COMPUTATION - WAGE EARNER

1. Domestic Gross Income

B. INCOME COMPUTATION - SELF EMPLOYED

1. Self-employment Gross Income

2. Reasonable Business Expenses (-)

3. Domestic Gross Income

C. ADJUSTMENTS TO DOMESTIC GROSS INCOME

1. Domestic Gross Income

2. Court-Ordered Child Support Paid

3. Court-Ordered Maintenance Paid %

4. Court-Ordered Maintenance Received %

5. Child Support Income (Insert on Line D.1 below)

D. COMPUTATION OF CHILD SUPPORT

1. Child Support Income

2. Total =

3. Proportionate Shares of Combined Income % %

(Each parent's income divided by combined income)

4. Gross Child Support Obligation ** (Using total income from Line D.2.,
find amount for each child and enter total for all children.)

Age of Children	0-5	6-11	12-18
Number Per Age Category	_____	_____	_____
Total Amount	_____	_____	_____ = _____

*Cost of Living Differential Adjustment? _____ Yes _____ No

*Multiple Family Adjustment? _____ Yes _____ No

Income beyond the child support schedule calculation used _____ Yes _____ No

CASE NO. _____

Party Name _____
Party Name _____

5. Proportionate Share (Line D.3 x Line D.4)

E. Parenting Time or Shared Residency Adjustment

1. Parenting Time Adjustment

a. _____% x Line D.5
(Parenting time is more than 35% but less than 50%)

b. Actual Cost Parenting Time Adjustment

c. Extended Parenting Time Adjustment

2. Shared residency and written shared expense plan

a. (Higher amount on Line D.5 - Lower amount on Line D.5) divided by 2

3. Shared residency with Direct Expense Formula

- a. ☐ 7% (combined monthly child support less than \$4,690)
b. ☐ 10.5% (combined monthly child support more than \$4,690 and less than \$8,125)
c. ☐ 15% (combined monthly child support more than \$8,125)

4. Total Adjustment (Line E.1.a/b/c or E2 or (E2 + E3))

F. HEALTH INSURANCE

1. Health and Dental Insurance Premium

2. Proportionate Shares Health Insurance Premium

G. WORK RELATED CHILD CARE COSTS

1. Work Related Child Care Costs

Amount - Amount x _____%

2. Proportionate Share Child Care Costs

H. PROPORTIONATE CHILD SUPPORT OBLIGATION FOR EACH PARENT

1. ☐ Primary residency with one parent: Total of Line D5 - E4 + F2 + G2
☐ Shared residency with written shared expense plan: Total of E4 + F2 + G2
☐ Shared residency with Direct expense formula: Total of E4 + F2 + G2

I. BASIC CHILD SUPPORT OBLIGATION

1. Credit for Health Insurance and Work-Related Childcare = Line F1 + G1

2. Basic Child Support Obligation = Line H.1. - Line I.1

CASE NO. _____

Party Name _____
Party Name _____

J. CHILD SUPPORT ADJUSTMENTS

		CATEGORY	AMOUNT ALLOWED	
Applicable	N/A			
1.	<input type="checkbox"/>	Long Distance Visitation Costs (+/-)	_____	_____
2.	<input type="checkbox"/>	Income Tax Considerations (+/-)	_____	_____
3.	<input type="checkbox"/>	Special Needs (+/-)	_____	_____
4.	<input type="checkbox"/>	Agreement Past Minority (+/-)	_____	_____
5.	<input type="checkbox"/>	Overall Financial Condition (+/-)	_____	_____
6. TOTAL (Insert on Line K.2 Below)			_____	_____

K. DEVIATION(S) FROM REBUTTABLE PRESUMPTION AMOUNT

1. Basic Parental Child Support Obligation (Line I.2 from above)	_____	_____
2. Total Child Support Adjustments (Line J.6 from above) (+/-)	_____	_____
3. Adjusted subtotal (Line K.1 +/- Line K.2.)	_____	_____
4. Social Security Dependent Benefits	_____	_____
5. Ability to Pay		
Child support income (D.1) _____ - Poverty guidelines for household of one _____ = _____		

L. NET PARENTAL CHILD SUPPORT OBLIGATION

M. ENFORCEMENT FEE ALLOWANCE
(Line L. x collection fee% x .5) or (Monthly flat fee x .5)

N. TOTAL CHILD SUPPORT OBLIGATION

Prepared by (Signature)

Judge/Hearing Officer Signature

Prepared by (Print Name)

Date Approved

Date Submitted

**IN THE EIGHTEENTH 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. 23-3214**

WORKSHOP ORDER PURSUANT TO K.S.A. CHAPTERS 23 & 60

Pursuant to **K.S.A. 23-3214**, the Petitioner and Respondent to this action are ordered to attend the following parent education class:

KIDS FIRST Parenting Workshop

First Floor, Jury Room Sedgwick County Courthouse

525 North Main, Wichita, Kansas 67203 (parking in garage north of Courthouse)

Enrollment: In person, 7th floor Family Law Clerk's Office or mail. Enrollment fee of \$60.00 shall be paid by Petitioner when the case is filed, and by the Respondent before filing any type of pleading, (Answer, Response, Motion or Notice of Intent).

Classes are held on some Tuesdays each month, 5:30 to 8:30 p.m. (schedules may vary for holidays & availability).

Payment method: cash, money order or attorney check. No personal checks or credit cards. For questions, scheduling or rescheduling a class, call 316-660-5727.

Email: Kidsfirst@kscourts.org

***NOTE: If an interpreter is needed, the request must be made through the Clerk's office at the time of scheduling. An interpreter will be provided by the Courts upon request.**

PLEASE DO NOT BRING YOUR OWN INTERPRETER TO THE CLASS.

Enrollment in the workshop shall occur within ten (10) days after either filing this action or receiving notice of this action unless explicitly ordered otherwise by the Court.

NOTICE: If you are the Petitioner, your divorce will NOT BE FINALIZED until you have completed the above workshop. No post-judgment motion filed by the Respondent shall be heard until the Respondent has completed the workshop.

Dated this _____ day of _____, 20____.

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

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: _____
Email: _____

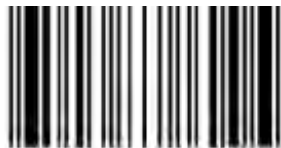
ACKNOWLEDGEMENT

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
(With 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 the Permanent Parenting Plan is in the best interests of my minor child(ren);
6. That I hereby request the Court accept my testimony through this affidavit;
7. 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**
(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:

Initials

YOB

_____	_____
_____	_____
_____	_____
_____	_____

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 husband / wife's last name is changed 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

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

IN THE MATTER OF THE MARRIAGE OF

(Plaintiff)
and

(Defendant)

Case No. _____

Pursuant to K.S.A. Chapter 23

____ TEMPORARY PARENTING PLAN
____ PERMANENT PARENTING PLAN

COMES NOW, the **(Mother)** **(Father)** **(Both Parties)**, and submits the following (proposed plan) (agreed plan of the parties) pursuant to K.S.A. 23-3211, et seq:

1. This parenting plan applies to the following child(ren):

Initials of Child

Sex

Birth Year and Age

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

2. A. Joint Legal Custody—Both parents are fit and proper persons to have joint legal custody of the minor child(ren). It is in the best interest of the child(ren) that the parties jointly share in the care of the child(ren). The term “joint legal custody” means that both parents have equal rights and responsibilities regarding their child(ren) and that neither parent’s rights are superior to the other parent’s.

B. Sole Legal Custody—Joint legal custody is not in the best interests of the child(ren). The parent granted sole legal custody has the primary right to decide matters regarding matters of health, education and welfare in the child(ren)’s best



interests. The parent not granted sole legal custody may make emergency decisions affecting the health or safety of the child(ren) when the child(ren) is in that parent's physical care and control. The grant of sole legal custody to one parent does not deprive the other parent access to information regarding the child(ren) unless the Court shall so order, stating the reasons for that determination.

Sole legal custody is granted to _____Mother____Father for the following reasons:

_____Agreement of the parents

_____The other parent is unable or should not be allowed to exercise any decision-making

_____There is such a high level of disagreement between the parents that one parent needs to be designated as the primary decision marker for the best interests of the child(ren) to be served.

_____There is a danger to the child(ren)

_____The____Mother____Father cannot be located

C. Restriction of Information Regarding the Child(ren) to Non Legal Custodian

_____ Not necessary at this time

_____The_____Mother_____Father is restrained from access to information regarding the child(ren) for the following specific reasons (such as agreement of the parties or serious danger to the child(ren) stating the specific reasons for a determination that the non- custodial parent should be restricted from access to information regarding the child(ren): _____

3. RESIDENCY

The parties adopt the following residency plan:

_____ **PRIMARY RESIDENTIAL** parent is _____Mother____Father, and shall have all weekdays and weekends not specifically set forth below.

OR

_____ **SHARED RESIDENCY**, with each parent having equal or nearly equal time and blocks of parenting time.

The parenting plan is as follows (COMPLETE ONLY 1 BOX)

If a PRIMARY RESIDENTIAL parent is designated, the Parenting Time for non-primary parent shall be:

A. _____ on a reasonable basis.

B. _____ the specific parenting time as follows:

Weekday: From _____ a.m./__p.m. on _____ (day of week) to _____
____a.m./__p.m. on _____ (day of week) starting on the _____ day of
____ 2 ____.

Weekends: _____ Each _____ Every other weekend: From _____ a.m./__p.m. on
____ (day of week) to _____ a.m./__p.m. on _____ (day of week)
starting on the _____ day of _____, 2 ____.

If SHARED RESIDENCY is used, the parenting schedule will be:

Week to week, with exchanges taking place on _____ (day of week)
at _____ (time), at _____ (location).

OR

_____ The parents will have the children on the following days:

Mom: From _____ a.m./__p.m. on _____ (day of week) to _____
____a.m./__p.m. on _____ (day of week) to _____ a.m./__p.m.
on _____ starting on the _____ day of _____ 2 ____.

Dad: From _____ a.m./__p.m. on _____ (day of week) to _____
____a.m./__p.m. on _____ (day of week) to _____ a.m./__p.m.
on _____ starting on the _____ day of _____ 2 ____.

OR

_____ The parties adopt the following shared residency plan:

4. HOLIDAYS

- A. ____ The parties shall share holidays on a reasonable basis
- B. ____ The schedule below will govern holidays. Insert “Mom” or “Dad in all holidays the parties want to schedule.

HOLIDAY	EVEN	ODD
Mother’s Day	Mom	Mom
Father’s Day	Dad	Dad
Fall Break		
Thanksgiving (Monday or on last day of school at 6:00 p.m. until Sunday at 6:00 p.m.)		
Christmas eve, from Dec. 24 th at 6:00 p.m. to Dec. 25 th at 10:30 a.m.		
Christmas Day, from Dec. 25 th at 10:30 a.m. to Dec. 25 th at 8:00 p.m.		
Spring Break (Fri after school 6:00 p.m. until Sun before school 6:00 p.m.)		
Easter		
Memorial Day		
July 4 th		
Labor Day		
Halloween		
Children’s birthdays		

Holidays and special days specified above will have precedence over weekday and weekend visitation.

Holidays have priority over other special occasions.

There shall be no adjustment for “missed” weekends or weekdays due to interruption by specified holidays or special days. The parties are encouraged to compensate for missed weekends so that a parent will not go more than two weekends without having weekend parenting time.

5. Disputes between the parties, other than child support dispute, shall be submitted to:

☐ mediation by: _____ or

☐ domestic limited case management by: _____

The costs of this process shall be allocated between the parties as follows:

☐ Equally

or

☐ Based on each party's proportional share of income from line 6 of the Child Support Worksheets

or

☐ As determined in the dispute resolution process.

6. Changing of the Child(ren)'s Residence:

Removal from State or Change of Residence: Each party shall give the other written notice by restricted mail, return receipt requested, at his or her last known address not less than 30 (thirty) days prior to changing residence, or if the child(ren) is to be removed from the state of Kansas for in excess of ninety (90) days.

Notice of Removal or Change not Required: A parent is not required to give notice of removal from the state or change of residence to the other parent if the other parent has been convicted of a crime specified in Article 54 (crimes against persons), Article 55 (sex offenses), or Article 56 (crimes affecting family relationships and children) of Chapter 21 of the Kansas Statutes Annotated in which the child(ren) is the victim of such crime.

7. Transportation and transportation costs:

Responsibility for transportation and transportation costs, as it relates to parenting time, shall be as follows:

Transportation arrangements and costs shall be the responsibility of:

☐ Parent Exercising Visitation

☐ Shared Equally

Exchange Point: The exchange point for the child(ren) shall be:

☐ The home of the ☐ Mother ☐ Father

☐ Other: (Please specify) _____

8. Notice of Intent to Exercise or Not to Exercise Parenting Time:

___ The **Mother/Father (non-custodial parent)** shall notify the other parent _____ days in advance of the intent to **not** exercise scheduled parenting time.

If notification is not given, the subject parenting time will be considered waived.

___ Except for extreme and exceptional circumstances, a parent is not required to wait for the other parent more than 30 minutes before the parenting time is considered waived.

___ Other:

9. Telephone and Mail Contact Between Parent and Child(ren).

___ **Telephone Contact:** Each parent is allowed reasonable telephone access to their child(ren) at reasonable hours without interference from the other parent.

Telephone contact with a child(ren) should not be used as an opportunity by either parent to discuss issues not related to the child(ren) with the other parent. When telephone contact is attempted to be made with the child(ren), the child(ren) should either have direct access to the telephone or the telephone should be given directly to the child(ren) with a minimum of conversation between the parents unless necessary for discussion of matters related to that contact. Any parent shall not refuse to answer the phone, turn off the phone or put call block on the line in order to deny the other parent telephone contact with the child(ren). Each parent shall supply the other parent with current telephone numbers, where the child(ren) may be found or is/are staying.

___ **Mail and E-mail Contact:** Each parent with whom the child(ren) is not then living should have unlimited ability to contact each other by use of either regular United States mail or electronic mail, if such an account is available. The parent seeking mail contact must provide self-addressed stamped envelopes for the child(ren) to use. If available, current e-mail addresses where the child(ren) may be contacted shall be supplied to both parents by each parent. Where possible, reasonable computer access shall be allowed.

10. Other Considerations and Agreements:

11. That this parenting plan is in the best interest of the minor child(ren)

12. That, when mutual decision making is designated but cannot be achieved, the parties shall make a good faith effort to resolve the issue through the dispute resolution process. If a parent fails to comply with a provision of this plan, the other parent's obligations under the plan are not affected unless specifically ordered by the Court.

13. This arrangement shall remain in effect until further Order of the Court.

IT IS SO ORDERED.

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

Approved by:

Petitioner, Pro Se

Respondent, Pro Se

Address

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> <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>	
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)	

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

_____, **Petitioner**

and

CASE: _____

_____, **Respondent**

ORDER IMPUTING INCOME

Now on this _____ day of _____, 20____, The court finds that to the extent known, after considering all of the factors contained in KS Sup.Ct. Admin. Order 307 II. F. including the circumstances surrounding the party's incarceration (if applicable), the party indicated below is an adult, is not disabled and is capable of obtaining full-time employment in the community, at least at a minimum wage.

The court orders that a gross monthly income shall be imputed to the:

_____ **petitioner/plaintiff** _____ **respondent/defendant** as follows: **(Select I or II)**

_____ **I. MINIMUM WAGE:** A gross income based on the minimum wage of \$1257 per month;

-OR-

_____ **II. OTHER THAN MINIMUM WAGE:** A gross income of _____ per month. The court further finds that to the extent known, they have the ability to pay child support based upon consideration of the following factors:

- _____ the respective assets of the parties;
- _____ the residence of the party;
- _____ the employment and earning history of the party;
- _____ the job skills of the party;
- _____ the education attained by the party;
- _____ the job skills of the party;
- _____ the literacy of the party;
- _____ the party's age;
- _____ the parties health;
- _____ the parties criminal history;
- _____ the availability in the community of jobs paying a full-time minimum-wage; the following other factors _____

Judge, Family Law Department
18th Judicial District, Sedgwick County, Kansas