Instructions for Divorce – Without Children

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

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

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

CONTENTS:

Instructions (3 pages); Civil Cover Sheet (2 pages); Petition (2 pages); Self-Represented Litigation (2 pages); Rule 402 Affidavit (1 page); Temporary Order (5 pages); Notice of Intent to Appear (1 pages); Domestic Relations Affidavit (5 Pages); Entry of Appearance & Waiver of Service (1 page); Summons (1 page); Affidavit of Petitioner (1 page); Decree of Divorce (5 pages); Certificate of Divorce or Annulment (1 page);

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

 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.

No line can be blank on the forms. If it states "_____ Husband _____ Wife" you must check whatever is applicable.

- 2. Petitioner: Complete the Petition except for the case number. Sign the Petition in front of a Notary or a Deputy Clerk.
- 3. Petitioner: Complete the Temporary Order and bring for Judge's signature.
- 4. Petitioner: Complete Rule 402 Affidavit for Ex Parte Temporary Order. Sign in front of a Notary or a Deputy Clerk.
- 5. Petitioner: Complete the Domestic Relations Affidavit—this can be filled out by both parties together or separately. **Sign in front of aNotary or a Deputy Clerk**.
- 6. Petitioner: Prepare the Notice of Intent to Appear with your case caption at the top.
- 7. Petitioner: Prepare the Entry of Appearance and Waiver of Summons with your case caption at the top.

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

Your paperwork must be completely and correctly filled out. Incomplete or incorrect paperwork will be rejected by the court.

A volunteer attorney will be available to assist with the 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. You may also get assistance at the Sedgwick County Law Library on Wednesdays between 8:30 a.m. and 4:30 p.m.

8. File the original documents with the Clerk of the District Court (6th floor of theSedgwick County Courthouse). Copies can be made 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. Please have exact change. A financial affidavit can be filled out and reviewed at the time of filing to reduce the filing fee.

9. You will obtain a case number from the Clerk of the District Court when youfile.

10. You are required to serve the other party with copies of the pleadings and give them notice of the divorce action. You cannot serve the other party yourself. Service can be accomplished by: waiver, sheriff's service, special process server, certified mail-return receipt or by publication. You cannot hand or email the papers to the other party.

a) **By Waiver**: Respondent completes the Entry of Appearance and Waiver of Service and **signs it in front of a Notary or Deputy Clerk**. This document can be given to the Petitioner or the Respondent may file it. <u>or</u>

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 (Sedgwick County only, cash cannot be mailed to other counties) 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. <u>or</u>

c) **By Special Process Server**: Petitioner should conduct an internet search for Process Servers in the geographic area where the party is intended to be served. After contacting the special process server, a Summons will need to be issued by the Clerk of the District Court and included in the documents served to the Respondent. The Petitioner is responsible for paying all fees. <u>or</u>

d) **By Mail**: Mail the copies of the court documents by certified mail–return receipt requested to the Respondent's last known address. The 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 to achieve good service. **Respondent must sign for documents**. <u>or</u>

e) **By Publication:** If you were not able to provide notice to the other party by one of the above methods, 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. The petitioner is responsible for paying for all publication service fees.

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

10. **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.

11. **Proof of service,** by one of the methods listed above, must be filed at the time the final paperwork is presented to the Clerk.

12. 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.

13. Petitioner: Complete the Affidavit of Petitioner and **sign it in front of a Notary or Deputy Clerk**. This Affidavit must be presented with the completed Decree of Divorce.

14. Decree of Divorce can be brought to the 6th floor for approval Monday through Friday from 8:00 a.m. to 4:00 p.m. The Judge will be available during the hours of 9:00 am to 12:00 pm and from 1:30 pm to 4:00 pm.

15. After getting approval, you will proceed to the 6th floor, Family Law Clerks Office to file your paperwork.

16. File the proof of service, original Decree, Affidavit, and the Certificate of Divorce with the Clerk of the District Court. After the judge has signed your Decree, make two copies of the Decree—one for yourself and you must mail one copy to the Respondent.

Additional District Court Clerk Fees That May Apply:

<u>.25 Copies per page</u>

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 <u>www.kscourts.org</u>.

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.)						
CIVIL If a CH. 61: \$(Judgment Demand Amount)						
TORT □ Asbestos Product Liability	CONTRACT □ Buyer Plaintiff	REAL PROPERTY	□ <u>STATE TAX WARRANT</u>			
□ Automobile Tort □ Intentional Tort	 Employment Dispute - Discrimination Employment Dispute - Other 	 Mortgage Foreclosure Other Real Property 	D OTHER CIVIL			
 Legal Malpractice Medical Malpractice 	 Fraud Landlord/Tenant - Forcible Detainer 	□ Tax Foreclosure	SMALL CLAIMS			
 Other Professional Malpractice Premises Liability 	 Landlord/Tenant Dispute - Other Seller Plaintiff (debt collection) 	MISCELLANEOUS □ 60-1507				
 Slander/Libel/Defamation Tobacco Product Liability 	□ Other Contract	□ Habeas Corpus □ Other Writs				
 Toxic/Other Product Liability Other Tort 	CIVIL APPEALS	 Name Change Post Judgment Elevation 				
	 Other Civil Appeal Tax Appeal 	Transfer Pre-Judgment				
DOMESTIC						
MARRIAGE DISSOLUTION/D	IVORCE	□ PROTECTION FROM S	STALKING 🗆 UIFSA			
OTHER DOMESTIC RELATION	IS IN NON-DIVORCE SUPPORT, CL	STODY OR VISITATION	D <u>PATERNITY</u>			
DOMESTIC FOREIGN JUDGM	ENT (OUT OF COUNTY)					
PROBATE/ESTATE						
GUARDIAN/CONSERVATOR Conservatorship/Trusteeship	□ DETERMINATION OF DESCEN	T D ADOPTION				
□ Guardianship - Adult □ Guardianship - Minor	SEXUALLY VIOLENT PREDATO	DR	<u>OPTION</u>			
 Guardian/Conservator - Adult Guardian/Conservator - Minor 	D DECEDENT ESTATE	□ CARE AND T	REATMENT			
PROBATE RECORDS	□ <u>REFUSAL TO GRANT LETTERS</u>	□ <u>TERMINATIC</u>	ON OF JOINT TENANCY			
 Probate Record – Other County Probate Record – Other State 	□ FILING WILL AND AFFIDAVI	□ □ <u>TERMINATIC</u>	ON OF LIFE ESTATE			
	□ <u>OTHER PROBATE/ESTATE</u>					
JURY DEMAND TYES (Check yes only if jury demand is included in petition or as a separate pleading)						
SUMMONS ATTACHED:	□ YES SHERIFF'S PRO	CESS FEE ATTACHED	P □ YES □ NO			
	S SERVER/ATTORNEY					
	IN STATE(State)	(County)				
			03/29/2024			

PETITIONER/SUBJECT INFORMATION (ATTACH ADDITIONAL SHEET, IF NECESSARY)	<u>RESPONDENT/OTHER PARTY INFORMATION</u> (ATTACH ADDITIONAL SHEET, IF NECESSARY)
NAME:	NAME:
ADDRESS:	ADDRESS:
CELL PHONE:	CELL PHONE:
E-MAIL:	E-MAIL:
SSN:DOB:	SSN:DOB:
ALIAS NAMES USED:	ALIAS NAMES USED:
<u>ATTORNEYS</u> (Firm Name, Address, Telephone Number and Supreme Court ID Number)	<u>ATTORNEYS</u> (Firm Name, Address, Telephone Number and Supreme Court ID Number)
FOR DOMESTIC CASES - NAME, DATE OF BIRTH DEPENDENT CHILD:	AND SOCIAL SECURITY NUMBER OF EACH

(Name)	(Date of Birth)	(Social Security Number)

The requirement that Social Security numbers be included on domestic cases is mandatory, and authorized by the Supreme Court and federal law. On non-domestic cases, the Social Security number is not mandatory. The number is used for purposes of identification and may be disclosed as permitted by law. This form is not considered to be a public record.

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

and

Case No. _____

Pursuant to K.S.A. Chapter 23

PETITION FOR DIVORCE

(Without minor child(ren) of this marriage)

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

2. Respondent is now living at:

Street address: _____

City, state, zip: _____

3. Petitioner and Respondent were married on the following date:

_____, ____(marriage date and year) in the following city and state: ______, and have been married since that date.

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

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

6. Petitioner and Respondent do not now have any children born of the marriage who are under the age of eighteen (18) years, and neither party is pregnant at the time this Petition is filed.

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

WHEREFORE, Petitioner prays that upon final hearing Petitioner be granted a divorce; that the property and debt of the parties be distributed between them; that jurisdiction over spousal maintenance be reserved; and, that the Court issue such 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 ______, 20____.

Petitioner, Pro Se

SUBSCRIBED AND SWORN to before me, a Notary Public, this _____ day of

_____, 20_____.

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 <u>Supreme Court Rule</u> <u>24(b)</u> . (<i>This list is printed on the back of this form for reference</i> .).		
	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 <u>Supreme Court Rule</u> <u>24(c)</u> . (<i>This list is printed on the back of this form for reference</i> .).		

OR:

☐ My document may contain prohibited PII , but I am asking the court to file it confidentially under seal for the following reason: <i>(Choose one.)</i>				
	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 <i>(describe the document without using PII)</i> :			
	the document I am filing now asks the court to seal a document that is already filed in this case <i>(describe the document without using PII):</i>			

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



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

IN THE MATTER OF THE MARRIAGE OF and Case No. _____ RULE 402 AFFIDAVIT FOR EX PARTE TEMPORARY ORDER (without children) , of lawful age, states under oath: 1. That I have moved out of the marital residence That the Respondent has moved out of the marital residence That neither party has moved out of the marital residence 2. That I have alternative housing available That the Respondent has alternative housing available That neither party has alternative housing available That both parties have alternative housing available З. 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: That my spouse is: employed full time employed full time employed part-time employed part-time a stay at home parent a stay at home parent unemployed unemployed

Petitioner

STATE OF KANSAS, SEDGWICK COUNTY

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

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: _____

Rule 402 Aff 1

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	<u> </u>
	RY ORDER (ren) of this marriage)
NOW on thisday of	, 20, comes the Petitioner,
, (who is hereinafter de	esignated as " 🔲 Husband 🗌 Wife" or
"Petitioner") and hereby requests that the Co	urt issue proper temporary orders so that
Petitioner and Respondent,	, (who is hereinafter designated as "
Husband Wife" or "Respondent"), m	ay temporarily live separate and apart from
each other and make orderly provisions for the	ne period of time until dismissal of this
action, further order of this Court, or trial of th	is case. After reviewing the Court file and
hearing statements of counsel, the Court OR	DERS, ADJUDGES and DECREES:
I. SPOUSAL	MAINTENANCE
A Not Applicable BHusbandWife is or	lered to pay\$per month as and for
spousal maintenance ofHusband	_Wife beginning Said

obligation shall terminate upon the death of either Husband or Wife. Said support shall be paid through the Kansas Payment Center at the address listed in Article IV.

II. ADDRESS FOR PAYMENTS AND ROLE OF COURT TRUSTEE

If spousal maintenance is awarded above, the address for support payments is as follows: Kansas Payment Center Box 758599 Topeka, KS 66675 8599 The case number shown on the first page of this order shall be placed on all checks or money orders and said checks or money orders shall be made payable to the Kansas Payment Center and include the county designation (SG).

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

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

COLLECTION OF UNPAID SUPPORT

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

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

III. RESIDENCE

A.	A. Not Applicable because parties are already separated.				
В		all have the temporary possession ofthe			
residence locate	residence located at				
	(city, state, zip) and the	other party shall have vacated the said			
residence withir	n forty-eight (48) hours aft	er the service of this Order.			
The 🔲 H	lusband 🚺 Wife,	(name of person leaving dwelling), is			

granted the right to remove from the dwelling personal effects necessary for personal hygiene and personal clothing for the leaving party in the primary residence.

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

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

IV. PERSONAL PROPERTY

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

All Personal Property now in his possession

Vehicle (describe):

The following items of personal property in the residence:

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

All Personal Property now in her possession

Vehicle (describe):

The following items of personal property in the residence:

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

V. DEBTS

A. _____ The parties have no joint debts.

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

(Description of loan)	(Bank/Lender)	(Approx. Amount)
Vehicle loan:		
C. Wife shall be temporarily responsible for joint debts:	or the periodic paymen	t of the following
(Description of loan)	(Bank/Lender)	(Approx. Amount)
Vehicle loan:		

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

VI. RESTRAINT

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

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

VII. RECONCILIATION

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

VIII. ENFORCEMENT

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

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

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

IX. HEARING

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

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

JUDGE OF THE DISTRICT COURT FAMILY LAW DEPARTMENT

APPROVED:

Petitioner, Pro Se

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

IN THE MATTER OF THE MARRIAGE OF	
and	Case No
Pursuant to K.S.A. Chapter 23	<u>}</u>
NOTICE OF INTENT	TO APPEAR
This is to notify you that I intend to appear to Temporary Order at 9:30 am Monday on the , 20, at the 7 th floor of the Sedgwid North Main, Wichita, Kansas, for the followir apply, much check at least one) pursuant to	eday of ck County Courthouse, 525 ng reason(s): (Check all that
	PERTY DIVISION
Husband/Wife (Respondent)	_
Address	_
Telephone	_
Email	_
FILE ORIGINAL WITH CLERK OF THE DIS COUNTY COURTHOUSE, AND MAIL A CO	TRICT COURT, 7 th FLOOR, SEDGWICK)PY TO:
(NAME OF ATTORNEY FOR PETITIONER	OR PETITIONER PRO SE)
(ADDRESS) CERTIFICATE	E OF SERVICE
I hereby certify that on theday of	, 20, I mailed a
copy of the above Notice of Intent to Appear	
above at the address given above by Certific	ed Mail—Return Receipt Requested.

Respondent (Signature)

IN THE MATTER OF THE MARRIAGE OF	
Petitioner	Case No
and	
Respondent	
Pursuant to K.S.A. Chapter 23	

To be used in a DIVORCE WITHOUT CHILDREN:

DOM	ESTIC RELATIONS	AFFIDAVIT OF		(name)
1.	Petitioner's Residence			
	Petitioner's		XXX-XX	
		Birth Month/Year	Social Security Numbe	r Telephone
2.	Respondent's Residen	espondent's Residence		
	Respondent's		XXX-XX	
		Birth Month/Year	Social Security Numbe	r Telephone
3.	Date of Marriage:			
4.	Number of Marriages:			
		Petitioner	Respondent	
5.	Petitioner is employed	by		
	Respondent is employ	ed by		
(Include	nome and address of a			
(include	e name and address of e	mpioyers)		
Month	ly income as follows:			
A.	, Wage Earner		Petitioner	Respondent
	1. Gross Income		\$\$	
	2. Other Income		\$\$	
	3. Subtotal Gross			<u> </u>
	4. Federal Withh (Claiming	exemptions)	\$\$)
	5. Federal Incom		\$\$	
	6. OASDHI		\$\$	
	7. Kansas Withh		\$\$)
	8. Subtotal Dedu	ctions	\$\$	
	9. Net Income		\$\$	

В.	Self-I	Employed	Petitioner	Respondent	
	1.	Gross Income from			
		self-employment	\$	5	\$
	2.	Other Income	\$		\$
	3.	Subtotal Gross Income	\$	5	\$
	4.	Reasonable Business Expenses (Itemize on attached exhibit)		5	\$
	5.	Self-Employment Tax	\$;	\$
	6.	Estimated Tax Payments	\$		\$
		(Claimexemptions)			
	7.	Federal Income Tax	\$	5	\$
	8.	Kansas Withholding	\$		\$
	9.	Subtotal Deductions	\$		\$
	10.	Net Income	\$		\$
	11.	(Line B.3. minus Line B.9.)			- •
		``````````````````````````````````````			
Pay p	eriod:				
		Petitioner			Respondent
6.	The I	iquid assets of the parties are:			
		Item	Amour	nt	Joint or Individual (Specify)
	Α.	Checking Accounts (Do not lis		,	
			\$ \$		
	В.	Savings Accounts (Do not list	):		
			\$		
	C.	Cash			
		Petitioner	\$ <u></u>		
		Respondent	\$		
	D.	Other			
			\$		
			\$		

7. The monthly expenses of each party are: (Please indicate with an asterisk all figures which are estimates rather than actual figures taken from records.)

	Item	Petitioner (Actual or Estimated)	Respondent (Actual or Estimated)
1.	Rent (if applicable)	\$	\$
2.	Food	\$	\$
3.	Utilities/services		
	Trash Service	\$	\$
	Newspaper	\$	\$
	Telephone	\$	\$
	Mobile Phone	\$	\$
	Cable	\$	\$
	Gas	\$	\$
	Water	\$	\$
DRA: Divorce Without Children		Page 2	Rev 10/23

	Lights	\$ \$
	Other	\$ \$
4.	Insurance	
	Life	\$ \$
	Health	\$ \$
	Car	\$ \$
	House/Rental	\$ \$
	Other	\$ \$
5.	Medical and dental	\$ \$
6.	Prescriptions drugs	\$ \$
7.	Clothing	\$ \$
8.	School expenses	\$ \$
9.	Hair cuts and beauty	\$ \$
10.	Car repair	\$ \$
11.	Gas and oil	\$ \$
12.	Personal property tax	\$ \$
13.	Miscellaneous (Specify)	
		\$ \$
		\$ \$
		\$ \$
14.	Debt Payments (Specify)	
		\$ \$
	TOTAL	\$ \$

*Show house payments, mortgage payments, etc., in Section 10.B.

 A. Monthly payments to banks, loan companies or on credit accounts: (Indicate actual or estimated monetary amount in each column; use asterisk for secured.) DO NOT LIST ANY PAYMENTS INCLUDED IN PART 10.AABOVE.

Creditor	When Incurred	Amount of Payment	Date of Last Payment	Balance	Respoi Petitioner	nsibility Respondent
				\$	\$	\$
				\$	\$	\$
				\$	\$	\$
				\$	\$	\$
				\$	\$	\$
				\$	\$	\$
			Subtotal of Pay	ments	\$	_\$
			Total		\$	_\$
a. Total Liv	ving Expenses					
	Sourc	e		ioner Estimated)		spondent or Estimated)
	1. Total funds (from No. s		\$		\$	

DRA: Divorce Without Children

2.	Total needed (from No. 8.A and B)	\$ \$
3.	Net Balance	\$ \$

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

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

#### FURNISH THE FOLLOWING INFORMATION IF APPLICABLE.

8. All other personal property including retirement benefits (including but not limited to qualified plans such as profit-sharing, pension, IRA, 401(k), or other savings-type employee benefits, nonqualified plans, and deferred income plans), and ownership thereof (joint or individual), including policies of insurance, identified as to nature or description, ownership (joint or individual), and actual or estimated value.

Amount	Joint or Individual (Specify)
 \$ \$	
 \$ \$	

#### THE FOLLOWING NEED NOT BE FURNISHED IN POST JUDGMENT PROCEDURES.

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

Property Description	Ownershi	р	Actual/Estimated Value	
	y, acquired by each of the	parties prior to marria	age or acquired during	
narriage by a will or inher	itance.			

10.

11. List debt obligations, including maintenance, not listed in Section 10.A or 10.B above, identified as to name or names of obligor or obligors and obligees, balance due and rate at which payable; and, if secured, identify the encumbered property.

Debt Obligation	Obligor	Obligee	Balance Due	Payment Rate	Encumbered Property

12. List health insurance coverage and the right, pursuant to ERISA §§ 601-608, 29U.S.C. §§ 1161-1168 (1986), to continued coverage by the spouse who is not a member of the covered employee group.

Health Insurance	<u>COBR</u> Yes	<u>A Continuatior</u> No	<u>n</u> Unknown
			·
			<u> </u>

### SIGNATURE OF PERSON SUBMITTING THIS DRA (Under Oath)

/s/

VERIFICATION

State of_____, County of_____,

I swear or affirm under penalty of perjury that this affidavit and attached schedules are true and complete.

/s/ _____

Subscribed and sworn this _____day of ______, 20_____,

/s/

Notary Public My Appointment Expires:

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

### IN THE MATTER OF THE MARRIAGE OF

and

Case No. _____

Pursuant to K.S.A. Chapter 23

### ENTRY OF APPEARANCE AND WAIVER OF SERVICE

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

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

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

#### ACKNOWLEDGEMENT

STATE OF KANSAS ) COUNTY OF SEDGWICK ) ss.

BE IT REMEMBERED that on this _____day of ______, 20_____, before me, a Notary Public, in and for said county and state, personally appeared the Respondent in this action, known by me to be the identical person who executed the foregoing instrument and acknowledged to me that he/she executed same as a voluntary act and deed for the uses and purposes therein set forth.

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

Notary Public My appointment expires:

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

		-
	Plaintiff (s)	
	VS.	
		-
	Defendant (s)	
		,
To the a	bove-named Defendant:	SUMMONS
V	en ere benebn en mened and remained to come	plaintiffa attornov
	nose address is	, plaintiff's attorney, , a pleading to the petiti
K.S.A. 6 thereafte <b>REASON</b>	0 ,	etition. Your pleading must also be filed with the court. As provided in subsection (a) of e as a counterclaim any related claim which you may have against the plaintiff, or you w Clerk of the District Court of Sedgwick County, Kansas
Dated	A	By, Deputy
		ON SERVICE OF SUMMONS
[1]		I Service. By delivering on the day of
acopy		
[2] Res	sidence Service. By leaving on theday of	,, for each of the within-named defendants
acopyoft therein.		place or usual place of abode of such defendants with some person of suitable age and discretion residing
		ervice. By delivering on the day of,,,, the following agents authorized by appointmentorbylawto receiveserviceof process
	sidence Service and Mailing. By leaving a copy of the summons ne following defendants a notice that such copy has been so left	and a copy of the petition at the dwelling house or usual place of abode and mailing by first-class mail to
[5] Cer	tified Mail Service   hereby certify that   have cerved the within summ	mons:(1)Bymailing on the day of , , a copy of the
sum- mons		t requested to each of the within-named defendants; (2) the name and address on the envelope containing the proces
		Ву
		Certified Mail Service Refused. I hereby certify that on the
		day of, Imailed a copy of the summons and petition in theatat
		a
[7] NoS	Service. The following defendants were not found in this county:	
		Deted
		Dated:, 20
		Sherifi
		By:Deputy
1305-43 (Re	av. 2/00)	PS-1143

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

### IN THE MATTER OF THE MARRIAGE OF

and

Case No. _____

# Pursuant to K.S.A. Chapter 23

# AFFIDAVIT OF PETITIONER

# (Without minor children of this marriage)

STATE OF KANSAS

SEDGWICK COUNTY

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

1. That I am the Petitioner in the foregoing matter;

2. That I have read the Petition and it is true and correct to the best of my belief and knowledge;

3. That the division of property and debt is fair just and equitable, and that in arriving at this decision I have taken into consideration the value of all assets, length of marriage, and source of property and debt;

4. That I am hereby requesting the Court approve the Property division provided therein;

5. That I hereby request the Court accept my testimony through this affidavit;

6. Further that I herein waive my right to a record.

# FURTHER AFFIANT SAITH NAUGHT.

) ) ss:

	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 OFJUDGMENT AND DECREE OF DIVORCE

(Without minor child(ren) of this marriage)

NOW, on this_	day of	, 20	, the above
matter comes before	the Court for final h	nearing. Petitioner appears in	person, pro se.
Respondent (does no	ot appear) (appear	rs in person) (appears thro	ugh 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 formore 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.

JE- Decree of Divorce 1

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. Petitioner and Respondent do not now have any children born of this marriage who are under the age of eighteen (18) years, and the wife was not pregnant at the time the Petition was filed in this case, nor is she pregnant at this time.

# **11. SPOUSAL MAINTENANCE**

AHusbandWife is ordered to pay \$	per month
as and for spousal maintenance of <u><b>Husband</b></u> <b>Wife</b> beginning	(date)
for the period of years and concluding on(date). Sa	aid 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 th	e address
set out below in Section 16.	

B. ____ Not Applicable.

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

A.____Not Applicable to Spousal Support

B. ____ The address for support obligation 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 _		_Husband _		_Wife
at	(city	, state, zip) a	ind	it shall
be the responsibility of the receiving party to inform the Clerk of	of an	y change in	add	ress.
JE- Decree of Divorce 2		R	ev (	)3/24

# **COLLECTION OF UNPAID SUPPORT**

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

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

#### 13. RESIDENCE

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

_____(city, state, zip), with a legal description of ______

_____with the value of the residence being \$_____

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

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

#### 14. PERSONAL PROPERTY

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

All Personal Property now in his possession

Vehicle (describe):

The following items of personal property in the residence:

Β.	Wife shall	have	permanent	possession	of the	following	items of	proper	ty:

All Personal Property now in her possession

The following items of personal property in the residence:

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

- 19. DEBTS

The parties have no joint debts.

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

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

(Description of loan)	(Bank/Lender)	(Approx. Amount)
Vehicle loan:		
Wife shall be permanently responsible for the p	eriodic payment of the	following joint debts:
(Description of loan)	(Bank/Lender)	(Approx. Amount)
Vehicle loan:		
Each party shall hold the other harmless from		

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's** / **wife's** last name is restored to:

21. The parties are prohibited from contracting marriage, within or outside the

State of Kansas, with any third person until thirty (30) days from the date of the filing of this Journal Entry of Judgment and Decree of Divorce with the Clerk of the District Court, unless an appeal is taken, and then until receipt of the Mandate from the Appellate Courts of the State of Kansas in accordance with K.S.A. 60-2106(c). Any marriage contracted before the expiration of that period shall be voidable unless both parties waive appeal.

### IT IS SO ORDERED.

# JUDGE OF THE DISTRICT COURT FAMILY LAW DEPARTMENT

Approved by:

Petitioner Pro Se

Street Address

City, State, ZIP

**Respondent Pro Se** 

Street Address

City, State, ZIP

**Telephone Number** 

Email

Telephone Number

Email

# CERTIFICATE OF DIVORCE OR ANNULMENT

CASE	Νl	JMI	BFR

1. HUSBAND'S NAME (First, M	/liddle, Last)							2. DATE (	OF BIRTH (Month, Day, Year)
3. RESIDENCE-STATE					4. COUNTY				
5. WIFE'S NAME (First, Middl	e, Last)			I	6. WIFE'S LAST NAME PRIOR TO FIRST MARRIAGE				
7. DATE OF BIRTH (Month, D	ay, Year)	8. RESIDENC	E-STATE			9. COUNTY			
10. PLACE OF THIS MARRIAGI OR FOREIGN COUNTRY	E - STATE	11. COUNTY			ATE OF THIS MARRIAGE Month, Day, Year)			13. NUMBER OF CHILDREN UNDER 18 IN THIS HOUSEHOLD AS OF DATE IN ITEM 17	
14. PETITIONER				1		15. NAME C	PF PETITIONER'S A	ITORNEY (Ty	pe)
Husband Wife		Other (Spec		e, Zip Co	de)				
17. DATE DECREE FILED (Month, Day, Year)		18. TYPE OF	DECREE-(Specify) ce Annuli	ment	19. COUNT	Y OF DECREE	20	). DATE FILEI (Month, Day	D BY STATE REGISTRAR /, Year)
K.S.A. 65-24228, REQUIRES THE SOCIAL AND REHABILITATION SE	DIVORCE REPOP	RT TO INCLUDE		RITY NUN	MBER OF BOT G, OR ENFORC	TH PARTIES TO CING A SUPPO	MAKE SUCH INFOR RT OBLIGATION.	MATION AVAI	LABLE TO THE SECRETARY OF
21. HUSBAND'S SOCIAL SECI	JRITY NUMBER				22. WIFE'S	SOCIAL SEC	URITY NUMBER:		
23. NUMBER OF THIS MARRIA Second, etc. (Specify below		By Death, D	ivorce, or Annulment			SLY MARRIED	, LAST MARRIAGE Date (Month, Day,		
23a. HUSBAND		24a. HUSBA	AND 2			24b. HUSBAND			
23b. WIFE		24c. WIFE					24d. WIFE		
25. HISPANIC ORIGIN (Check t describes whether you are Check the "no" box if you a Latino.)	Spanish, Hispanio	, or Latino.				nore boxes to i	ndicate what race(s)		. WIFE
25a. HUSBAND	25b. WIFE	nish/			└ Korean └ Vietnam	ese	White Black or African Ar	nerican	Korean Vietnamese
Hispanic/Latino Yes, Mexican/Mexican American/Chicano	Hispanic/La Yes, Mexica American/C	an/Mexican	American India Alaska Native (Name of the e	enrolled	Other Asian (Specify)			tive the enrolled)	Other Asian (Specify)
Yes, Puerto Rican	Yes, Puerto	Rican	or principal trib	bes)			or principa	al tribes)	
Yes, Cuban	Yes, Cuban				Native Hawaiian			Native Hawaiian	
Yes, Central American Yes, South American	Yes, Centra		Asian Indian		Guamar	nian or Chamor	ro Asian Indi	an	Guamanian or Chamorro
Yes, other Spanish/ Hispanic/Latino (Specify)	Yes, other S	Yes, South American Yes, other Spanish/ Hispanic/Latino (Specify)			☐ Samoan ☐ Other Pacific Islander (Specify)		Chinese		<ul> <li>Samoan</li> <li>Other Pacific Islander (Specify)</li> </ul>
Unknown			)			— Other (Spo	ecify)		
					Unknow	n			Unknown
27. EDUCATION (Check the bo	x that best describ	es the highest	degree or level of sch	iool comp	oleted.)				
27a. HUSBAND'S EDUCATION	Some C	de or less College credit, b				-	e (e.g., AA, AS)	Bachelor'	ool graduate or GED s degree (e.g., BA, AB,BS)
27b. WIFE'S EDUCATION		s degree (e.g.,	MA, MS, MEng, MEc	a, MSW, I		octorate (e.g., h - 12th grade;			(e.g., MD, DDS, DVM, LLB, JD) ool 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, MEng, MEd, MSW, MBA)       Doctorate (e.g., PhD. EdD) or Professional degree (e.g., MD, DDS, DVM, LLB, JD)									