



For Office Use Only

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.)

- CIVIL** If a CH. 61: \$ _____ (Judgment Demand Amount)
- | | | | |
|---|---|---|--|
| <p>TORT</p> <ul style="list-style-type: none"> <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 | <p>CONTRACT</p> <ul style="list-style-type: none"> <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 <p>CIVIL APPEALS</p> <ul style="list-style-type: none"> <input type="checkbox"/> Administrative Agency <input type="checkbox"/> Other Civil Appeal <input type="checkbox"/> Tax Appeal | <p>REAL PROPERTY</p> <ul style="list-style-type: none"> <input type="checkbox"/> Eminent Domain <input type="checkbox"/> Mortgage Foreclosure <input type="checkbox"/> Other Real Property <input type="checkbox"/> Tax Foreclosure <p>MISCELLANEOUS</p> <ul style="list-style-type: none"> <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 | <ul style="list-style-type: none"> <input type="checkbox"/> STATE TAX WARRANT <input type="checkbox"/> OTHER CIVIL <input type="checkbox"/> SMALL CLAIMS |
|---|---|---|--|

- DOMESTIC**
- MARRIAGE DISSOLUTION/DIVORCE**
 - PROTECTION FROM ABUSE**
 - PROTECTION FROM STALKING**
 - UIFSA**
 - OTHER DOMESTIC RELATIONS**
 - NON-DIVORCE SUPPORT, CUSTODY OR VISITATION**
 - PATERNITY**
 - DOMESTIC FOREIGN JUDGMENT (OUT OF COUNTY)**

- PROBATE/ESTATE**
- | | | |
|---|---|--|
| <p>GUARDIAN/CONSERVATOR</p> <ul style="list-style-type: none"> <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 <p>PROBATE RECORDS</p> <ul style="list-style-type: none"> <input type="checkbox"/> Probate Record - Other County <input type="checkbox"/> Probate Record - Other State | <ul style="list-style-type: none"> <input type="checkbox"/> DETERMINATION OF DESCENT <input type="checkbox"/> SEXUALLY VIOLENT PREDATOR <input type="checkbox"/> DECEDENT ESTATE <input type="checkbox"/> REFUSAL TO GRANT LETTERS <input type="checkbox"/> FILING WILL AND AFFIDAVIT <input type="checkbox"/> OTHER PROBATE/ESTATE | <ul style="list-style-type: none"> <input type="checkbox"/> ADOPTION <input type="checkbox"/> FOREIGN ADOPTION <input type="checkbox"/> CARE AND TREATMENT <input type="checkbox"/> TERMINATION OF JOINT TENANCY <input type="checkbox"/> TERMINATION OF LIFE ESTATE |
|---|---|--|

JURY DEMAND YES (Check yes only if jury demand is included in petition or as a separate pleading) NO

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

ALIAS 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 Number

ALIAS 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.

DISTRICT COURT OF _____ COUNTY, KANSAS

_____, Plaintiff

CASE NO. _____

v.

_____, Defendant

Pursuant to Chapter 61 of Kansas Statutes Annotated

SMALL CLAIMS PETITION

Under K.S.A. 61-2701, et seq.

1. *Statement of claim:*

I, _____, have read the instructions for completing this form and assert this claim against _____, Defendant:

Briefly state the facts of this dispute.

2. *Demand for judgment* (What do you want the Court to order?):

Based on the claim stated above, I demand this judgment against Defendant:

A. Payment of \$ _____, plus interest, costs, and any damages awarded under K.S.A. 60-2610.

B. Recovery of this personal property, plus costs:

This property has an estimated value of \$ _____.

I, _____, declare under penalty of perjury that, to the best of my knowledge and belief, the claim stated above against Defendant (including the estimated value of any property I am asking to recover) is a just and true statement, not including any valid claim or defense Defendant may have.

Signature of Plaintiff

Printed Name: _____

Address: _____

City, State Zip: _____

Phone #: _____

Fax # (if you have one): _____

Email address: _____

DISTRICT COURT OF _____ COUNTY, KANSAS

_____, Plaintiff

CASE NO. _____

v.

_____, Defendant

Defendant's Address:

SMALL CLAIMS SUMMONS

To the above-named Defendant:

Plaintiff has filed a claim against you under the small claims procedure of this Court. Plaintiff's written claim and demand for judgment against you are stated in the Petition which is served to you with this Summons.

A trial will be held at _____ (time) on _____ (date),
at _____ (place of trial and address).

You must be present in person at the trial or the Court will enter a default judgment against you. Except as provided by law, neither you nor the Plaintiff can have an attorney with you during the trial.

If you want to present witnesses, books, receipts, or other papers at the trial, you should bring them with you to the trial. If you want to require witnesses to appear at the trial, see the Clerk of the Court as soon as possible for assistance.

If you admit the claim, but want additional time to satisfy Plaintiff's demands, you must come to the trial to make this request and explain the circumstances to the judge.

If you have a claim against the Plaintiff, which is part of the same transaction or occurrence (which means the same event or circumstance) as Plaintiff's claim against you and your claim does not exceed \$10,000, you must complete the form for "Defendant's Claim" which is included with this summons, and return it to the Clerk of the Court on or before the time set for the trial. If your

claim against Plaintiff exceeds \$10,000, you may complete and return the form for "Defendant's Claim" on or before the time set for trial.

Dated: _____

Clerk or Deputy

Clerk's Seal

DISTRICT COURT OF _____ COUNTY, KANSAS

_____, Plaintiff

CASE NO. _____

v.

_____, Defendant

RETURN ON SERVICE OF SUMMONS

I certify that I served this Summons, Petition, and a form for “Defendant’s Claim” in the following manner:

(1) Personal service. By delivering a copy of the summons and a copy of the petition on the dates below to each of the following Defendants:

_____(Date)_____
(Name of Defendant)

_____(Date)_____
(Name of Defendant)

(2) Residence service. By leaving a copy of the summons and a copy of the petition on the dates below at the usual place of residence of each of the following Defendants:

_____(Date)_____
(Name of Defendant)

_____(Date)_____
(Name of Defendant)

(3) No service. The following Defendants were not found in this county:

_____(Date)_____
(Name of Defendant)

_____(Date)_____
(Name of Defendant)

Dated: _____

(Signature)

(Printed Name)

(Title if applicable)

DISTRICT COURT OF _____ COUNTY, KANSAS

_____, Plaintiff

CASE NO. _____

v.

_____, Defendant

DEFENDANT'S CLAIM

1. *Statement of claim:*

I, _____, have read the instructions for completing this form and assert this claim against _____, Plaintiff:

Briefly state the facts of this dispute.

2. *Demand for judgment* (What do you want the Court to order?):

Based on the claim stated above, I demand this judgment against Plaintiff:

A. Payment of \$ _____, plus interest, costs, and any damages awarded under K.S.A. 60-2610.

B. Recovery of this personal property, plus costs:

This property has an estimated value of \$ _____.

I, _____, declare under penalty of perjury that, to the best of my knowledge and belief, the claim stated above against Plaintiff (including the estimated value of any property I am asking to recover) is a just and true statement, not including any valid claim or defense Plaintiff may have.

Signature of Defendant
Printed Name: _____
Address: _____
City, State, Zip: _____
Phone #: _____
Fax # (if you have one): _____
Email address: _____

DISTRICT COURT OF _____ COUNTY, KANSAS

_____, Plaintiff

CASE NO. _____

v.

_____, Defendant

REQUEST FOR SERVICE – SMALL CLAIMS

You must give "legal notice" to the defendant that you have filed a Small Claims Petition. Your Small Claims Petition must be filed and stamped with the date it was received by the Clerk of the District Court. The defendant must get a copy of the file-stamped Small Claims Petition through one of the ways listed below.

Plaintiff requests the Clerk of the District Court to issue a summons and petition for

_____ (name), whose address for service is:

_____ (address)

_____ (city, state, zip)

Select **ONE** of the five boxes below to show how you want to give "legal notice" to the defendant and complete any blanks in that section.

Personal or Residential Service by Sheriff:

Check option 1 or 2 if you want the sheriff to give the paperwork to the defendant.

Option 1: If the defendant lives in Kansas, you must fill out the Summons form and pay a sheriff's service fee.

Option 2: If the defendant lives in a state other than Kansas, fill out the Summons form. You must find out the procedures required by the sheriff in that state and county and pay any fees required.

Plaintiff requests service of process as indicated below:

1. *Personal or residential service by sheriff in Kansas* – Service by the office of the Sheriff of _____ County, State of Kansas, other than Service by Return Receipt. The clerk of the court will give your documents to the sheriff.

2. *Personal or residential service by sheriff outside of Kansas* – Out of state service by the Sheriff of _____ County, State of _____ (the defendant’s location), other than Service by Return Receipt. The clerk of the court will give your documents to the sheriff.

Sheriff’s office address (where the Clerk will send the service packet to the sheriff):

(Name of Sheriff’s Office)

(Street)

(City)

(State)

(Zip Code)

(Sheriff’s Office Phone Number with Area Code)

Personal or Residential Service by process server appointed under the provisions of K.S.A. 60-3003:

Check option 3 if you want a process server appointed by the judge or clerk of the district court to give the paperwork to the defendant. You must find out the court’s procedure for appointing a process server and pay any fees required. Complete the Motion for Appointment of Special Process Server and the Order Appointing Special Process Server and file them with the Clerk of the District Court.

3. *Service by an authorized process server.*

Service by Return Receipt:

Check options 4 or 5 if you want the file-stamped paperwork mailed to the defendant.

Option 4: After getting the file-stamped copy of the Small Claims Petition and the Summons from the Clerk of the District Court, send the documents to the defendant using return receipt delivery, which can be by certified mail, priority mail, commercial courier service, overnight delivery service or other reliable personal delivery service. For example, these services may be offered by the United States Postal Service, FedEx, or UPS. Once the documents are delivered to the defendant, get the written or electronic receipt from the delivery service and attach it to the Return of Service by Return Receipt form. Complete the Return of Service by Return Receipt form and file it with the Clerk of the District Court's office.

Option 5: If you want the sheriff to send the documents to the defendant using return receipt delivery, the Clerk of the District Court will get the documents to the sheriff. The sheriff will send the documents and file the Return of Service by Return Receipt with the court.

- 4. *Service by Return Receipt inside or outside Kansas by Plaintiff* – Return Receipt by the Plaintiff. You are responsible for sending the documents to the defendant using one of the methods listed above and submitting the return of service to the Clerk of the District Court

- 5. *Service by Return Receipt inside or outside Kansas by Sheriff* – Service by Return Receipt by the office of the Sheriff of _____ County, State of _____, AT YOUR EXPENSE. The Sheriff is responsible for obtaining service and submitting the return of service.

If the sheriff's office is NOT in Kansas, fill out the name, address, and phone number of the sheriff's office below.

Sheriff's office address (where the Clerk will send the service packet to the sheriff):

(Name of Sheriff's Office)

(Street)

(City)

(State)

(Zip Code):

(Sheriff's Office Phone Number with Area Code)

Plaintiff Signature

Printed Name: _____

Address: _____

City, State Zip: _____

Phone #: _____

Fax # (if you have one): _____

Email address: _____