

Instructions for FILING Divorce –Without Children

(You may need to copy or download the following forms: Civil Information Sheet, Petition for Divorce, Voluntary Entry of Appearance, Request for Service Form, *Summons, Domestic Relations Affidavit, *Vital Statistics Worksheet, Notice of Hearing and Decree of Divorce. These forms are for use in divorces where the filing person and spouse have children from their relationship together. The following forms will be used ONLY if there is no other way to notify your spouse of the divorce filing as provided in instruction 4d: Affidavit for Service by Publication, Order Allowing Service by Publication and Notice of Suit.

Read these directions carefully and completely. When completing forms, type or print neatly in ink.

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WARNINGS

- 1. The forms provided by the Judicial Council are basic forms for simple divorces. They do not deal with every divorce situation. A divorce can be complicated and using legal forms without an attorney's help can harm your legal rights.**
- 2. The Clerk of the District Court cannot help you prepare these forms. The Clerk cannot give legal advice about your rights or responsibilities and can only provide very limited information about the divorce process. If you have any questions, you should contact an attorney.**
- 3. It is illegal for anyone who is not licensed to practice law in Kansas to: (A) give another person advice about that other person's legal rights or duties; (B) help another person to select, draft, or complete any legal document that affects the other person's rights or duties; (C) represent another person in court; and (D) help another person negotiate legal rights or responsibilities. *If you paid a company for these forms, contact the Attorney General's consumer complaint hotline and the Kansas Judicial Council.***
- 4. Courts require anyone filing a divorce case to follow court rules. You must follow the court rules or you will not be able to finish your case. Self-represented persons are expected to know the rules as if you were an attorney.**
- 5. IF YOUR SPOUSE IS ACTIVE-DUTY MILITARY, YOU SHOULD CONSULT AN ATTORNEY BECAUSE YOU MUST MEET SPECIFIC ADDITIONAL REQUIREMENTS.**
- 6. Property decisions are binding on you and your spouse and may not be changed. Agreements are NOT binding on, and do not affect the rights of anyone other than you and your spouse.**
- 7. If one spouse is to receive part of the other spouse's retirement benefits, additional documents may be needed to complete the transfer. You will need to seek the advice of an attorney to complete this process because it is outside the scope of these forms.**

***THESE DOCUMENTS WILL BE PROVIDED BY THE CLERKS IN THE CIVIL DEPT.**

Facts About Filing for Divorce in Kansas:

- You or your spouse must have lived in Kansas for at least sixty (60) days before filing a Petition for Divorce with the court.
- You must start the legal process by filing certain documents, and paying a filing fee, with the Clerk of the District Court in the county where you or your spouse lives.
- Once your case is filed, you will be given a case number which must be on all documents you file with the court in the future.
- If you are filing for a divorce without the assistance of an attorney, you are responsible for completing all the necessary forms and the Clerk of the District Court cannot help you prepare any legal documents or provide any legal advice.
- Once you have filed your Petition for Divorce, it is important that you inform the Clerk of the District Court if you or your spouse's address changes.
- Terminology:
 - Petitioner = Person who files the Petition
 - Respondent = Person who did not file the Petition
 - Parties = Petitioner and Respondent
- Case Caption:

The section above the title of every document is called the case caption. It identifies which county the case was filed in, the case number, and the names of the people involved in the case. The person who originally filed the petition is listed on the top line and is called the "Petitioner." The person who did not file the petition is listed on the lower line and is called the "Respondent." These name designations remain the same for the entire case including in all documents filed with the court after the divorce is final.

Instructions for filing a divorce:

1. Complete the Civil Information Sheet, Domestic Relations Affidavit, Petition for Divorce and Self Represent Litigants Certification Form.
2. Sign the Petition for Divorce in front of a notary public. Notary publics may commonly be found in law firms, title companies and financial institutions, i.e. banks and credit unions.
3. File with the Clerk of the District Court:
 - the original Petition for Divorce with required copies;
 - the original Domestic Relations Affidavit with required copies;
 - the original Civil Information Sheet; and
 - the Request for Service Form, if not filing a Voluntary Entry of Appearance.Pay the required filing fee. (Check with the Clerk or the local rules to determine the number of additional copies required as well as the amount of the filing fee.)
4. You must notify your spouse that you have filed a Petition for Divorce in one of the following ways:

- a. “Voluntary Entry of Appearance”: Your spouse signs a Voluntary Entry of Appearance form in front of a notary public, which acknowledges receipt of the Petition for Divorce. The Voluntary Entry of Appearance with your spouse’s original signature is then filed with the Clerk.
 - b. “Sheriff’s Service”: You must fill out a Request for Service Form, requesting that the sheriff deliver the Petition for Divorce to your spouse. If your spouse lives in Kansas, you must pay a sheriff’s service fee. If your spouse lives in a State other than Kansas, it is your responsibility to find out the procedures required by the sheriff in that state and county and to pay any fees required.
 - c. “Certified Mail Service”: You must mail the summons and Petition for Divorce by certified mail - return receipt requested to your spouse at his or her last known residential address. File the “green” “return-receipt card” with the Clerk when you receive it from the US Postal Service.
 - d. “Publication”: If you cannot provide notice of the divorce to your spouse under either (a), (b), or (c), then you may be able to provide notice of the divorce by publishing 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.
 - e. “Court Process Server”. You must fill out a Request for Service Form, requesting that the Court Process Server deliver the Petition for Divorce to your spouse. The Court Process Server can only be used if the other party can be served in Wyandotte County.
5. Contact the Administrative Assistant for the Division your case is assigned to to find out how to get a final hearing date and time for your divorce. Different courts have different procedures and requirements. Kansas law provides that a divorce decree cannot be entered until at least 60 days after the petition filing date.
6. Send a copy of the Notice of Hearing to your spouse and file the original of that notice with the Clerk. Certified mail is the preferred method of mailing.
7. If required by local rules, attend and complete any required parenting, co-parenting, divorce or other required classes prior to your final divorce hearing.
8. Attend the final divorce hearing, taking with you:
- a. The Decree of Divorce and at least 3 copies;
 - b. Any written property division agreement signed by you and your spouse;
 - c. Written proof that you gave your spouse notice of the hearing date and time;
 - d. Required copies of the completed Domestic Relations Affidavit;
 - e. Required copies of the completed Parenting Plan;

9. When you present the decree to the judge, you should be prepared to tell the judge about the facts stated in the petition, that you and your spouse are incompatible, and why your proposed agreements are fair.
10. The process of obtaining Income Withholding Orders is separate from the divorce process and is outside the scope of these forms. You will need to check with the Clerk to find out what the local procedures are for obtaining these orders.
11. Once the judge has signed the original decree, take the original and all copies to the Clerk who will file the original. Provide your former spouse a file stamped copy of the decree and keep the remaining copies.

===== **Instructions prepared by the Kansas Judicial Council** =====

Instrucciones para TRAMITAR el divorcio – Sin Hijos

Necesitará imprimir las siguientes formas:

Hoja de Información Civil, Petición de Divorcio, Entrada de Apariencia Voluntaria, Forma de Solicitud de Servicio, *Citación, Declaración Jurada de Relaciones Domésticas, *Hoja de Estadísticas Vitales, Notificación de Audiencia, Decreto de Divorcio. Estos formularios son para uso en divorcios donde la persona que presenta la solicitud y su cónyuge no tienen hijos de su relación juntos. Las siguientes formas se utilizarán UNICAMENTE si no hay otra manera de notificar a su cónyuge sobre la solicitud de divorcio según la instrucción 4d: Declaración jurada de servicio por Publicación, Orden que permite el servicio por publicación y aviso de demanda.

Lea las instrucciones completas. Al completar las formas escriba o imprima con pluma.

Las formas del Consejo Judicial son solo para uso no comercial solamente. Las formas están protegidas por derechos de autor por el Consejo Judicial de Kansas y se proporcionan de forma gratuita. Los formularios no pueden ser vendidos, republicados o transferidos de una persona a otra por compensación o otro valor sin el permiso por escrito del Consejo Judicial de Kansas.

ADVERTENCIA

- 1. Los formularios proporcionados por el Consejo Judicial son formularios básicos para divorcios simples. No se aplican en todos los casos de divorcio. Un divorcio puede ser complicado y el uso de estas formas sin la asistencia de un abogado puede dañar sus derechos legales.**
- 2. El secretario del tribunal del distrito no puede ayudar a preparar los formularios. El secretario no puede brindar asesoramiento legal sobre sus derechos o responsabilidades y solo puede proporcionar información muy limitada sobre el proceso de divorcio. Si tiene alguna pregunta contacte a un abogado.**
- 3. Es ilegal que cualquier persona que no tenga licencia para ejercer la ley en Kansas pueda: (A) dar a otra persona consejos sobre los derechos o deberes legales de esa persona; (B) ayudar a otra persona seleccionar, redactor o completar cualquier documento legal que afecte los derechos o deberes de la otra persona; (C) y representar a otra persona en la corte; y (D) ayudar a otra persona a negociar derechos legales o responsabilidades. Si pago a una empresa por estos formularios, comuníquese con la línea directa de quejas del consumidor del Procurador General y con el Consejo Judicial de Kansas.**
- 4. Los tribunales requieren que todas las personas que presenten un caso de divorcio sigan las reglas de la corte. Debe seguir las reglas de la corte o no podrá terminar su caso. Se espera que las personas con representación propia conozcan las reglas como si usted fuera un abogado.**
- 5. SI SU CONYUGE ES MILITAR ACTIVO, DEBE CONSULTAR A UN ABOGADO PORQUE DEBE CUMPLIR CON REQUISITOS ADICIONALES ESPECIFICOS.**
- 6. Las decisiones de propiedad son vinculantes para usted y su cónyuge y no se pueden cambiar. Los acuerdos NO son vinculantes y no afectan a nadie que no sea usted y su cónyuge.**
- 7. Si un cónyuge va a recibir parte de los beneficios de jubilación del otro cónyuge, es posible que se necesiten documentos adicionales para completar la transferencia. Debera buscar el consejo de un abogado para completar este proceso porque está fuera del alcance de estos formularios.**

Hechos sobre la demanda de Divorcio en Kansas:

- Usted o su cónyuge deben haber vivido en Kansas durante al menos sesenta (60) días antes de presentar un Petición de divorcio ante el tribunal.
- Debe iniciar el proceso legal presentando ciertos documentos y pagando una tarifa ante el secretario del Tribunal de Distrito en el condado donde vive usted o su cónyuge.
- Una vez que se presente su caso, se le dará un número de caso que debe estar en todos los documentos que se presenten ante el tribunal en el futuro.
- Si usted está solicitando el divorcio sin asistencia de un abogado, usted es responsable de llenar los formularios necesarios completamente y el secretario del Tribunal de Distrito no puede ayudarle a preparar ningún documento legal o proporcionarle asesoramiento legal.
- Una vez que se haya presentado su petición de divorcio, es importante que informe al secretario del Tribunal de Distrito si cambia la dirección de usted o su cónyuge.
- Terminología:
 - Petitioner (Solicitante) – Persona que solicita la petición
 - Respondent (Demandado/a) – Persona que no solicito la petición
 - Parties (participantes) – Solicitante y Demandado
- Título del Caso:

La sección sobre el título de cada documento se llama el título del caso. Esto identifica en que condado se archivó el caso, el número del caso y los nombres de las personas involucradas en el caso. La persona que originalmente presento la petición aparece en la primera línea y se llama “Solicitante.” La persona que no presentó la petición aparece la siguiente línea y se llama “Demandado.” Estas designaciones de nombre siguen siendo las mismas para todo el caso, incluyendo todos los documentos presentados ante la corte después de que el divorcio sea definitivo.

Instrucciones para solicitar el divorcio:

1. Completa la hoja de información Civil, Declaración jurada de relaciones domesticas y Petición de divorcio.
2. Firme la petición de divorcio ante un notario público. Los notarios públicos se pueden encontrar normalmente en oficinas de abogados, compañías de títulos e instituciones financieras, es decir bancos y cooperativas de crédito.
3. Archive con el secretario del Tribunal de Distrito:
 - La Petición original de divorcio con las copias requeridas;
 - La declaración jurada original de relaciones domesticas con las copias requeridas;
 - La hoja de Información Civil original; y

- La forma de Solicitud de Servicio, si no presenta una Entrada Voluntaria de Apariencia. Pagar la cuota de presentación requerida. (Consulte con el secretario o las reglas locales para determinar el número de copias adicionales requeridas, así como el mono de la cuota de presentación).
4. Debe notificar a su cónyuge que ha presentado una Petición de divorcio de una de las siguientes maneras:
 - a. “Entrada voluntaria de la apariencia”: Su cónyuge necesita firmar la forma de Entrada voluntaria ante un notario público, que se reconoce como recibo de la Petición de divorcio. La entrada voluntaria de apariencia con la firma original de su cónyuge se presenta ante el secretario.
 - b. “Servicio del Sheriff”: Debe de llenar la forma de Solicitud de Servicio, solicitando que el oficial entregue la solicitud de divorcio a su cónyuge. Si su cónyuge vive en Kansas, debe pagar la tarifa de servicio del sheriff. Si su cónyuge vive en un estado que no sea Kansas, es su responsabilidad averiguar los procedimientos requeridos por el alguacil en ese estado o condado y pagar las tarifas requeridas.
 - i. Sí su cónyuge vive en Kansas, por favor llene la forma de Citación Estatal.
 - ii. Sí su cónyuge vive en otro estado que no sea Kansas, por favor llene la forma de Citación fuera del estado.
 - c. “Servicio de correo certificado”: Debe enviar la citación y la Petición de divorcio por correo certificado: Debe enviar la citación y la Petición de divorcio por correo certificado – regrese se recibo solicitado a su cónyuge en su dirección residencial. Archiva la hoja “verde” “Recibo de vuelto” que reciba del servicio postal.
 - d. “Publicación”: Si no le puede proporcionar la notificación de divorcio a su cónyuge bajo lo siguiente (a), (b), o (c), entonces usted puede proporcionar un aviso de divorcio publicándolo en un periódico local. Para obtener “servicio de publicación,” debe solicitar permiso para hacerlo llenando la forma de “Affidavit for Service by Publication,” que es la “Declaración jurada de Servicio por Publicación” y obtener una orden del juez asignado que le permite publicar el aviso. Después de obtener el “Servicio de autorización de servicio por publicación” firmado, debe publicar un aviso siguiendo el proceso establecido en K.S.A. 60-307, Debe obtener una “prueba de publicación” del periódico y presentar la prueba ante la corte. El personal de la corte no puede ayudarlo con este proceso.
 5. Contacte el secretario del tribunal para averiguar cómo obtener una fecha y hora de audiencia final para su divorcio. Cada corte tiene diferente procedimientos y requisitos. La ley de Kansas establece que no se puede dar una sentencia de divorcio hasta al menos 60 días después de la fecha de presentación de la petición.

6. Mande una copia de la Notificación de Audiencia a su cónyuge y archive la notificación original con el secretario. El método preferido de envío es por correo certificado.

7. Debe de completar las siguientes secciones del decreto de divorcio 8, 12 – 13, 20 – 22, antes de su audiencia final de divorcio. Las secciones restantes del Decreto de divorcio son para que el juez las complete. Las descripciones legales de su casa y terreno generalmente se pueden obtener en su oficina local del Registro de Escrituras.
8. Asista a la audiencia final de divorcio, llevando lo siguiente:
 - a. El Decreto de divorcio y por lo menos 3 copias
 - b. Cualquier acuerdo escrito de división de propiedades firmado por usted y su cónyuge;
 - c. Prueba escrita de que le dio un aviso de la fecha y hora de la audiencia a su cónyuge;
 - d. Copias requeridas de la declaración jurada de relaciones domesticas completadas.
 - e. La hoja de estadísticas vitales completada.

9. Cuando presente el decreto al juez, debe estar preparado para informarle sobre los hechos declarados en la petición, al por que usted y su cónyuge no son compatibles y por qué los acuerdos propuestos son justos.

10. El proceso de obtener una orden de retención de ingresos es independiente del proceso de divorcio y están fuera del alcance de estas formas. Tendrá que consultar con el secretario para averiguar cuál es el procedimiento local para obtener esa orden.

11. Una vez que el juez haya firmado el decreto original, lleve el original y todas las copias al secretario, quien archivara el original. Proporcione a su excónyuge una copia sellada del decreto y guarde las de más copias.

You must file the following forms with the Clerk of the District Court to start your case:

- the original Petition for Divorce
- the original Domestic Relations Affidavit
- the original Civil Information Sheet; and
- the Request for Service Form, if not filing a Voluntary Entry of Appearance.

Pay the required filing fee.

If you have any further questions about filing or filling out the forms, please read your instructions or contact an attorney.

Debe presentar las siguientes formas ante la secretaria del Tribunal de Distrito para iniciar su caso:

- la Petición original de divorcio
- la original Declaración Jurada de Relaciones Domesticas
- la hoja de información civil original; y
- la forma de Solicitud de Servicio, si no Presenta una Entrada Voluntaria de Apariencia.

Pague el costo de presentación requerida.

Si tiene más preguntas sobre como presentar o completar las formas, lea sus instrucciones o comuníquese con un abogado.

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)

TORT

- Asbestos Product Liability
- Automobile Tort
- Intentional Tort
- Legal Malpractice
- Medical Malpractice
- Other Professional Malpractice
- Premises Liability
- Slander/Libel/Defamation
- Tobacco Product Liability
- Toxic/Other Product Liability
- Other Tort

CONTRACT

- Buyer Plaintiff
- Employment Dispute – Discrimination
- Employment Dispute - Other
- Fraud
- Landlord/Tenant - Unlawful Detainer
- Landlord/Tenant Dispute – Other
- Seller Plaintiff (debt collection)
- Other Contract

CIVIL APPEALS

- Administrative Agency
- Other Civil Appeal

REAL PROPERTY

- Eminent Domain
- Mortgage Foreclosure
- Other Real Property

MISCELLANEOUS

- 60-1507
- Habeas Corpus
- Other Writs

STATE TAX WARRANT

OTHER CIVIL

SMALL CLAIMS

DOMESTIC

- MARRIAGE DISSOLUTION/DIVORCE PROTECTION FROM ABUSE PROTECTION FROM STALKING UIFSA
- OTHER DOMESTIC RELATIONS NON-DIVORCE SUPPORT, CUSTODY OR VISITATION PATERNITY

PROBATE/ESTATE

GUARDIAN/CONSERVATOR

- Conservatorship/Trusteeship
- Guardianship - Adult
- Guardianship - Minor
- Guardian/Conservator - Adult
- Guardian/Conservator – Minor

DETERMINATION OF DESCENT

SEXUALLY VIOLENT PREDATOR

DECEDENT ESTATE CARE AND TREATMENT

ELDER ABUSE

ADOPTION

OTHER PROBATE/ESTATE

JURY DEMAND

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

SUMMONS ATTACHED:

- YES
- NO

SERVICE BY:

PROCESS SERVER/ATTORNEY
 SHERIFF IN STATE _____ (County)
 SHERIFF OUT OF STATE _____ (State)

SHERIFF'S PROCESS FEE ATTACHED

- YES
- NO

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.

Self-Represented Litigant Certification Form

By signing this form, I certify that, to the best of my knowledge, information, and belief, and based on my reasonable review of the document's contents, the attached filing complies with the certification requirements in the Temporary Rule for Filing in a District Court by a Self-Represented Litigant as follows:

(a) I have signed the attached filing and provided my name, address, email address (if available), telephone number, and fax number (if available); and

(b) The attached filing contains no personally identifiable information (PII) or meets an exception in the Temporary Rule for Filing in a District Court by a Self-Represented Litigant because the filing (check box that applies):

contains no PII (if this box is checked, do not check any other boxes); or

requests that this document be sealed under the Temporary Rule for Filing in a District Court by a Self-Represented Litigant for the following reason (check box that applies):

a pre-existing order was entered by the court on _____ that seals this document;

this document asks the court to issue an order that seals the following document: [include general description of document contents without including PII.] _____;

or this document asks the court to seal the following document already filed in the case: [describe the document already on file so that the clerk can identify it without using PII]

_____.

Date: _____

Signature: _____

Name of Party: _____

IN THE 29TH JUDICIAL DISTRICT
DISTRICT COURT WYANDOTTE COUNTY, KANSAS
CIVIL DEPARTMENT

In the Matter of the Marriage of

Petitioner

and

Case No. _____

Respondent

PETITION FOR DIVORCE (without children)

"Petitioner" means the person filing this Petition.

"Respondent" means the person who did not file the Petition.

"Parties" means the Petitioner and Respondent.

The person filing this petition states:

1. I am now living at: _____ (Street address),
_____ (city), _____ (state) and I have lived in Kansas Other: _____
since _____ (date).
2. Respondent is now living at: _____ (Street
address), _____ (city), _____ (state) Unknown, and has lived in Kansas Other:
_____ since _____ (date).
3. We were married on the following date and year: _____ in the
following city and state: _____ and have been married since that
date.
4. We are incompatible and should receive a divorce.
5. We do not now have any children from our relationship who are under the age of 19.

Neither party is pregnant.

Or

_____ is pregnant at the time this petition is filed.
(Name of Petitioner or Respondent)

Or

Unknown.

6. The court should distribute the marital property and debts as agreed upon or as the court may decide.
7. I do do not request spousal support.
8. Respondent is is not now on active duty with the United States Military.
 Unknown.

Optional:

9. I request to be restored to the following former name: _____.

On final hearing, the court should grant a divorce, divide the property and debts between the parties and issue other appropriate orders.

X _____
 Signature of Petitioner

Name (Print): _____
 Address 1: _____
 Address 2: _____
 City, State, Zip: _____
 Telephone Number: _____

VERIFICATION

STATE OF KANSAS
 COUNTY OF _____

I swear or affirm that the statements made in this Petition are true and that I am the person filing this petition.

X _____
 Signature of Petitioner

SUBSCRIBED AND SWORN to before me, a Notary Public, this _____ day of _____, 20____.

 Notary Public

IN THE 29TH JUDICIAL DISTRICT
DISTRICT COURT WYANDOTTE COUNTY, KANSAS
CIVIL DEPARTMENT

In the Matter of the Marriage of

Petitioner

Case No. _____

and

Respondent (person filing this voluntary entry of appearance)

VOLUNTARY ENTRY OF APPEARANCE

"Petitioner" means the person who filed the Petition.

"Respondent" means the person who did not file the Petition.

I am the person against whom this divorce is filed. I received a copy of the petition filed in this case. I am not requiring that the sheriff or other person hand me the summons and petition as Kansas law may require. I **am** **am not** a member of the armed forces on active duty service. If I am on active duty military service, I **do** **do not** give up my rights under the Servicemembers Civil Relief Act for this case.

X _____
Signature of Respondent

Name (Print): _____

Address 1: _____

Address 2: _____

City, State, Zip: _____

Telephone Number: _____

ACKNOWLEDGEMENT

STATE OF KANSAS)
COUNTY OF _____) ss.

On this _____ day of _____, 20____, _____
personally appeared in front of me, signed this document, and acknowledged to me that s/he signed this document voluntarily for purpose stated in this document. **IN WITNESS**, I have set my hand and affixed my seal.

Notary Public

CERTIFICATE OF SERVICE AND MAILING

I certify that on this _____ day of _____, 20____, I sent a true copy of this Voluntary Entry of Appearance by depositing it in the United States mail, postage prepaid, addressed to:

(Name and address of Petitioner)

and

(Name and address of Petitioner's attorney, if any)

X _____
Signature of Respondent

Name (Print): _____

IN THE 29TH JUDICIAL DISTRICT
DISTRICT COURT WYANDOTTE COUNTY, KANSAS
CIVIL DEPARTMENT

In the Matter of the Marriage of

Petitioner

Case No. _____

and

Respondent

Respondent's Address:

REQUEST AND SERVICE INSTRUCTION FORM

"Petitioner" means the person who filed the Petition.

"Respondent" means the person who did not file the Petition.

To: Clerk of the District Court

The Clerk of the Court will issue a Summons and Petition in the above entitled action for the above named Respondent. You are hereby instructed to effect service, as follows:

- a. *Personal Service inside Kansas* – Service through the office of the Sheriff of _____ County, State of Kansas, other than by certified mail.
- b. *Certified Mail Service inside or outside Kansas* – Certified mail service by the Petitioner, who understands that the responsibility for obtaining service and effecting its return shall be on the Petitioner. The receipt for certified mail service (green card) must be filed with the Clerk's office before service can be perfected.
- c. *Certified Mail Service inside or outside Kansas* – Certified mail service by the office of the Sheriff of _____ County, State of Kansas, AT THE EXPENSE OF THE PETITIONER. The Petitioner understands that the responsibility for obtaining service and effecting its return shall be on the Sheriff.
- d. *Personal Service outside Kansas* – Out of state service by service through the Sheriff of _____ County, State of _____ (other person's location) by other than certified mail, which the PETITIONER MUST ARRANGE WITHOUT ASSISTANCE OF THE COURT.

- e. Personal Service through the Office of the Civil Process Server.
(Party to be served must live in Wyandotte County, Kansas)

- f. No service required as my spouse will complete a Voluntary Entry of Appearance or I am filing an Affidavit for Service by Publication.

X _____
Signature of Petitioner

Name (Print): _____

Address 1: _____

Address 2: _____

City, State, Zip: _____

Telephone Number: _____

Domestic Relations Affidavit

IN THE 29th JUDICIAL DISTRICT
WYANDOTTE COUNTY, KANSAS

IN THE MATTER OF

Party Name

and

Case No. _____

Party Name

DOMESTIC RELATIONS AFFIDAVIT OF _____
(name)

1. Party Name Residence _____

Party Name _____ XXX-XX-_____
Birth Month/Year Social Security Number Telephone _____

2. Party Name Residence _____

Party Name _____ XXX-XX-_____
Birth Month/Year Social Security Number Telephone _____

3. Date of Marriage: _____

4. Number of Marriages: _____
Party Name Party Name

5. Number of children of the relationship: _____

6. Names, Social Security Numbers, the month and year of each child's birth and ages of minor children of the relationship:

Name	Social Security Number xxx-xx-_____	Birth Month/Year	Age	Custodian
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

7. Names, Social Security Numbers, and ages of minor children of previous relationships and facts as to custody and support payments paid or received, if any.

Name	Social Security No. XXX-XX-____	Age	Custodian	Support Payment	Paid or Rec'd
_____	_____	_____	_____	\$ _____	_____
_____	_____	_____	_____	\$ _____	_____
_____	_____	_____	_____	\$ _____	_____
_____	_____	_____	_____	\$ _____	_____

8. Party Name is employed by (name) _____
 (address) _____

Party Name is employed by (name) _____
 (address) _____

with monthly income as follows:

A. Wage Earner	Party Name	Party Name
1. Gross Income	\$ _____	\$ _____
2. Other Income	\$ _____	\$ _____
3. Subtotal Gross Income	\$ _____	\$ _____
4. Federal Withholding (Claiming _____ exemptions)	\$ _____	\$ _____
5. Federal Income Tax	\$ _____	\$ _____
6. OASDHI	\$ _____	\$ _____
7. Kansas Withholding	\$ _____	\$ _____
8. Subtotal Deductions	\$ _____	\$ _____
9. Net Income	\$ _____	\$ _____

B. Self-Employed	Party Name	Party Name
1. Gross Income from self-employment	\$ _____	\$ _____
2. Other Income	\$ _____	\$ _____
3. Subtotal Gross Income	\$ _____	\$ _____
4. Reasonable Business Expenses (-) (Itemize on attached exhibit)	\$ _____	\$ _____
5. Self-Employment Tax (-)	\$ _____	\$ _____
6. Business Net Income	\$ _____	\$ _____
7. Estimated Tax Payments (Claim _____ exemptions)	\$ _____	\$ _____
8. Federal Income Tax	\$ _____	\$ _____
9. Kansas Withholding	\$ _____	\$ _____
10. Subtotal Deductions	\$ _____	\$ _____

11. Net Income \$ _____ \$ _____
 (Line B.3. minus Line B.9.)

Pay period: _____
Party Name Party Name

9. The liquid assets of the parties are:

	Item	Amount	Joint or Individual (Specify)
A. Checking Accounts (Do not list account numbers):			
	_____	\$ _____	_____
	_____	\$ _____	_____
B. Savings Accounts (Do not list account numbers):			
	_____	\$ _____	_____
	_____	\$ _____	_____
C. Cash			
	Party Name	\$ _____	_____
	Party Name	\$ _____	_____
D. Other			
	_____	\$ _____	_____
	_____	\$ _____	_____

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

		Party Name (Actual or Estimated)	Party Name (Actual or Estimated)
1.	Rent	\$ _____	\$ _____
2.	Food	\$ _____	\$ _____
3.	Utilities/services:		
	Trash Service	\$ _____	\$ _____
	Newspaper	\$ _____	\$ _____
	Telephone	\$ _____	\$ _____
	Cell Phone	\$ _____	\$ _____
	Cable	\$ _____	\$ _____
	Gas	\$ _____	\$ _____
	Water	\$ _____	\$ _____
	Lights	\$ _____	\$ _____
	Other	\$ _____	\$ _____
4.	Insurance:		
	Life	\$ _____	\$ _____
	Health	\$ _____	\$ _____
	Car	\$ _____	\$ _____
	House/Rental	\$ _____	\$ _____
	Other	\$ _____	\$ _____
5.	Medical and dental	\$ _____	\$ _____
6.	Prescriptions drugs	\$ _____	\$ _____
7.	Childcare (work-related)	\$ _____	\$ _____

8.	Childcare (non-work-related)	\$ _____	\$ _____
9.	Clothing	\$ _____	\$ _____
10.	School expenses	\$ _____	\$ _____
11.	Haircuts and beauty	\$ _____	\$ _____
12.	Car repair	\$ _____	\$ _____
13.	Gas and oil	\$ _____	\$ _____
14.	Personal property tax	\$ _____	\$ _____

	Item	Party Name (Actual or Estimated)	Party Name (Actual or Estimated)
15.	Miscellaneous (Specify)		
	_____	\$ _____	\$ _____
	_____	\$ _____	\$ _____
16.	Debt Payments (Specify)		
	_____	\$ _____	\$ _____
	_____	\$ _____	\$ _____
	Total	\$ _____	\$ _____

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

B. 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.A ABOVE.

Creditor	When Incurred	Amount of Payment	Date of Last Payment	Balance	Responsibility	
					Party Name	Party Name
_____	_____	_____	_____	\$ _____	\$ _____	\$ _____
_____	_____	_____	_____	\$ _____	\$ _____	\$ _____
_____	_____	_____	_____	\$ _____	\$ _____	\$ _____
_____	_____	_____	_____	\$ _____	\$ _____	\$ _____
_____	_____	_____	_____	\$ _____	\$ _____	\$ _____
_____	_____	_____	_____	\$ _____	\$ _____	\$ _____
				Subtotal of Payments	\$ _____	\$ _____
				Total	\$ _____	\$ _____

C. Total Living Expenses

	Party Name (Actual or Estimated)	Party Name (Actual or Estimated)
1. Total funds available to Both Parties (from No. 8)	\$ _____	\$ _____
2. Total needed (from No. 10.A and B)	\$ _____	\$ _____
3. Net Balance	\$ _____	\$ _____
4. Projected child support	\$ _____	\$ _____

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

Source	Party Name	Party Name
_____ (+/-)	\$ _____	\$ _____
_____ (+/-)	\$ _____	\$ _____

11. How much does the party who provides health care pay for family coverage?
 \$ _____ per _____ .
 How much does it cost the provider to furnish health insurance only on the provider?
 \$ _____ per _____ .

FURNISH THE FOLLOWING INFORMATION IF APPLICABLE.

12. Income and financial resources of children.

Income/Resources	Amount
_____	\$ _____
_____	\$ _____

13. Child support adjustments requested

- parenting time adjustment
- income tax consideration
- special needs
- other: _____
- agreement past majority
- long distance parenting time
- overall financial conditions

14. 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.

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

THE FOLLOWING NEED NOT BE FURNISHED IN POST JUDGMENT PROCEDURES.

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

Property Description	Ownership	Actual/Estimated Value
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

16. Identify the property, if any, acquired by each of the parties prior to marriage or acquired during marriage by a will or inheritance.

Property Description	Ownership	Source of Ownership	Actual/ Estimated Value

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

Debt Obligation	Payor	Payee	Balance Due	Payment Rate	Encumbered Property

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

<u>Health Insurance</u>	<u>COBRA Continuation</u>		
	Yes	No	Unknown
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Executed on the _____ day of _____, 20____.

Name (Print): _____

Signature _____

You must file the **NOTICE OF HEARING** with the Clerk of the District Court after you get your court date from the judge's administrative assistant.

You must file the **DECREE OF DIVORCE** with the Clerk of the District Court after your final hearing.

If you have any further questions about filing or filling out the forms, please read your instructions or contact an attorney.

Debe presentar el **NOTIFICACION DE AUDIENCIA** ante la secretaria del Tribunal de Distrito después de que el asistente administrativo del juez le proporcione su fecha de audiencia.

Debe presentar el **DECRETO DE DIVORCIO** ante la secretaria del Tribunal de Distrito después de su audiencia final.

Si tiene más preguntas sobre como presentar o completar las formas, lea sus instrucciones o comuníquese con un abogado.

IN THE 29TH JUDICIAL DISTRICT
DISTRICT COURT WYANDOTTE COUNTY, KANSAS
CIVIL DEPARTMENT

In the Matter of the Marriage of

Petitioner

Case No. _____

and

Respondent

NOTICE OF HEARING

The court will hold a hearing on this matter on the _____ day of _____, 20____
at _____ : _____ a.m. p.m. at the _____ County Courthouse, in division
_____ .

X _____
Your Signature Self-Represented

Name (Print): _____
Address 1: _____
Address 2: _____
City, State, Zip: _____
Telephone Number: _____

CERTIFICATE OF SERVICE AND MAILING

I certify that on this _____ day of _____, 20____, I sent a true copy of this
notice of hearing by (depositing it in the United States mail, postage prepaid) (depositing it in the
United States mail, postage prepaid, certified mail, return receipt requested) addressed to:

(Name and address of other party)
or

(Name and address of other party's attorney)
and

(Name and address of any other involved attorney or case participant, if any)

X _____
Your Signature
Name (Print): _____

IN THE 29TH JUDICIAL DISTRICT
DISTRICT COURT WYANDOTTE COUNTY, KANSAS
CIVIL DEPARTMENT

In the Matter of the Marriage of

Petitioner

and

Case No. _____
Division _____

Respondent

Is Title to Real Estate Involved? Yes No

**DECREE OF DIVORCE
(WITHOUT CHILDREN)**

*“Petitioner” means the person who filed the Petition.
“Respondent” means the person who did not file the Petition.
“Parties” means the Petitioner and Respondent*

Please review #7 of the Instructions for Divorce-Without Children prior to completing this Decree

NOW THIS _____ day of _____, 20____, the above matter comes before the Court for final hearing.

Petitioner appears in person by counsel, _____ does not appear.

Respondent appears in person by counsel, _____ does not appear.

After considering the presentation of testimony and evidence, the court finds:

1. Petitioner was a resident in the State of Kansas for more than sixty days before the petition filing date.
2. This court has personal jurisdiction over Respondent because:

3. Petitioner and Respondent are now married.
4. This Court has the power to grant a divorce to Petitioner and Respondent.
5. More than sixty days have passed since the petition filing date.
6. Respondent is is not now on active duty with the United States Military.
 Unknown. If Respondent is on active duty, the requirements of the Servicemembers Civil Relief Act (SCRA) have have not been met.

7. Petitioner and Respondent are incompatible and are divorced on that ground.
8. Petitioner Respondent is restored to the former name of _____.
9. Petitioner and Respondent cannot marry another person until thirty (30) days after entry of this Divorce Decree, or until a mandate is issued by the Kansas Appellate Courts if an appeal is taken as set out in K.S.A. 60-2106(c). Any marriage entered before that time is voidable unless Petitioner and Respondent both waive appeal.
10. Court costs are assessed to: Petitioner Respondent Other: _____.
11. Petitioner and Respondent do not now have any children from their relationship who are nineteen (19) years of age or under.
- Neither party is pregnant.
- Or
- _____ is pregnant at the time this Decree is filed.
(Name of Petitioner or Respondent)
- Or
- Unknown.
12. Petitioner and Respondent entered into an agreement contained in or attached to this Decree, which the court approves as voluntary, fair and equitable and which is incorporated into this Decree shall divide their property and debts as stated on the record and contained in this Decree.
13. Petitioner shall have as Petitioner's own separate property: all Petitioner's personal papers and clothing, any personal property in Petitioner's possession not set aside to Respondent, those items set aside to Petitioner in the attached agreement, and the following items in Respondent's possession:
- _____
- _____
- _____
- _____
- _____
- _____

14. Respondent shall have as Respondent's own separate property: all Respondent's personal papers and clothing, any personal property in Respondent's possession not set aside to Petitioner, those items set aside to Respondent in the attached agreement, and the following items in Petitioner's possession:

15. Each party is responsible for the debts in that party's name incurred since the date of separation, _____, 20__.

A. Petitioner is solely responsible for payment of the following debts and obligations, will defend Respondent from these claims and liabilities, and will reimburse Respondent for any and all expenses incurred either directly or indirectly, including a reasonable attorney's fee, if Petitioner fails to pay these debts:

B. Respondent is solely responsible for payment of the following debts and obligations, will defend Petitioner from these claims and liabilities, and will reimburse Petitioner for any and all expenses incurred either directly or indirectly, including a reasonable attorney's fee, if Respondent fails to pay these debts:

16. Petitioner and Respondent are each responsible for and will each hold the other harmless on any debts associated with any personal property assigned to that person.

17. Petitioner Respondent is granted all right title and interest to the real estate at:

Street Address _____

City _____ County _____ State _____

Zip Code _____ with a legal description of

Petitioner Respondent shall be responsible for payment of any mortgage loan, lien, or obligation for the above named real estate and shall hold the other harmless on that debt. This transfer does not change the rights of any creditor to collect the debt from either party.

18. Petitioner and Respondent shall execute any documents necessary to convey property. This decree transfers title to all property addressed in this decree when filed. (NOTE: Other steps may be necessary to complete the transfer of title of real estate, especially if the real estate is located outside this county.)

19. Any designation previously made by Petitioner or Respondent that names the other as a beneficiary of any individual or group life insurance or annuity policy, trust instrument, transfer-on-death account, or payable-on-death account, is terminated and may be renewed only by designation made after entry of this decree. Petitioner and Respondent shall make any necessary changes to beneficiary designations by filing the changes according to the terms of the policy, trust or account.

20. Neither spouse Petitioner Respondent is granted spousal maintenance as follows:

All spousal maintenance payments shall be made to the Kansas Payment Center at PO Box 758599, Topeka, Kansas 66675-8599 and shall include the two letter County designation and case number in the memo portion of each support payment. Petitioner and Respondent shall provide the payment center any information requested. No court trustee fee will be charged.

21. *Income Withholding Provisions.* All spousal maintenance payments shall be subject to income withholding but only if (a) there is an arrearage in the payment of spousal maintenance in an amount equal to or greater than the amount of spousal maintenance payable for two months, (b) the obligee spouse or ex-spouse is not living with a child of the obligor for whom an order of support is also being enforced, and (c) there has been compliance with K.S.A. 23-3103(h).

22. Other Provisions:

IT IS SO ORDERED.

Judge of the District Court

Submitted by:

X _____
Signature of Petitioner
Name(Print): _____
Address 1: _____
Address 2: _____
City, State, Zip: _____
Telephone: _____
Email: _____

X _____
Signature of Respondent
Name(Print): _____
Address 1: _____
Address 2: _____
City, State, Zip: _____
Telephone: _____
Email: _____

**USE THE FOLLOWING FORMS
ONLY IF YOU HAVE TO DO
SERVICE BY PUBLICATION.**

**USE LAS SIGUIENTES FORMAS
SOLO SI TIENE QUE HACER
SERVICIO POR PUBLICACION**

IN THE 29TH JUDICIAL DISTRICT
DISTRICT COURT WYANDOTTE COUNTY, KANSAS
CIVIL DEPARTMENT

In the Matter of the Marriage of

Petitioner

and

Case No. _____

Division _____

Respondent

AFFIDAVIT FOR SERVICE BY PUBLICATION

Having been properly sworn by a notary public, I state the following for my affidavit:

1. I am the person who filed the divorce petition in this matter.
2. I make this affidavit so that I can obtain an order allowing me to obtain publication service of the divorce petition upon my spouse under K.S.A. 60-307.
3. I seek an order for publication service upon my spouse because I do not know where my spouse is currently living even though I have asked people who know my spouse, even though I have searched through documents in my possession, even though I have diligently searched telephone listings in the places I believe my spouse may now live, and even though I have diligently searched publicly available internet resources for information about where my spouse may now live.
4. The last address at which my spouse lived was:
_____.
5. I have tried unsuccessfully to serve my spouse by certified mail and personal service with the divorce petition and summons.
6. This divorce action is one of the actions mentioned in K.S.A. 60-307(a)(1) through (4), and amendments thereto, and allows notice by publication under these circumstances.

X _____
Your Signature

Name (Print): _____

Rev. 12

Address 1: _____
Address 2: _____
City, State, Zip: _____
Telephone Number: _____

VERIFICATION

STATE OF KANSAS
COUNTY OF _____

Signed or attested before me on this _____ day of _____, 20____, by

_____.

Notary Public

IN THE 29TH JUDICIAL DISTRICT
DISTRICT COURT WYANDOTTE COUNTY, KANSAS
CIVIL DEPARTMENT

In the Matter of the Marriage of

Petitioner

and

Case No. _____

Division _____

Respondent

ORDER ALLOWING SERVICE BY PUBLICATION

"Petitioner" means the person who filed the Petition.

"Respondent" means the person who did not file the Petition.

The Court finds:

1. The Petitioner filed an Affidavit seeking publication service upon the Respondent.
2. After inquiry of the Petitioner, it appears to the Court that the Petitioner does not now know where the Respondent lives, it appears that the Petitioner has made reasonable efforts to find out where the Respondent is living but has not been able to find out that information, and it appears that the Petitioner has done all things reasonably necessary to try to find out where the Respondent is living.
3. The Petitioner is allowed to give notice to the Respondent of the filing of the Divorce Petition by publication service as is provided by K.S.A. 60-307.

IT IS SO ORDERED.

Judge of the District Court

Submitted by:

X _____
Signature of Petitioner

Petitioner's Name (Print): _____

Address: _____

Address: _____

City, State, Zip: _____

Telephone: _____