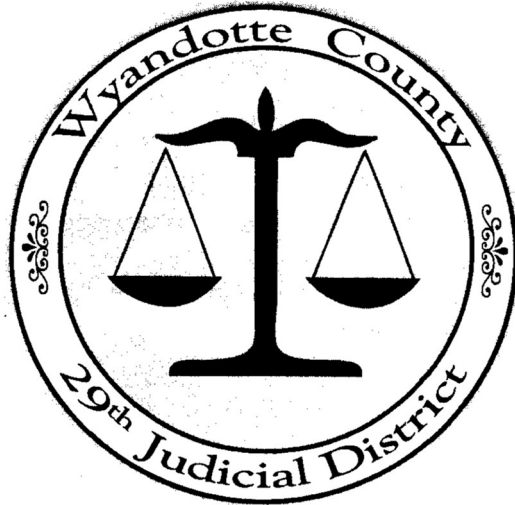


SMALL CLAIMS COURT



PLEASE READ CAREFULLY BEFORE FILING YOUR SMALL CLAIM

Effective July 1, 2014 Filing Fees are:

Claim of \$0.01- \$500.00 = \$47.50

Claim of \$500.01 - \$4,000.00 = \$67.50

(Make checks payable Clerk of the District Court)

Garnishment Fee: \$12.50

(Additional Sheriff fees apply if service is outside of Wyandotte County)

FEEES ARE SUBJECT TO CHANGE

Wyandotte County Courthouse
Limited Actions Department
710 N 7th St
Kansas City, Kansas 66101
(913) 573-2811

SMALL CLAIMS COURT

Small Claims is a limited legal process meant to provide citizens a somewhat informal way to use the court to settle certain legal problems.

You must fill out the Self-Represented Litigant Certification Form

LIMITATIONS

Your claim may not be more than \$4,000;

You may not use a lawyer;

You must be at least 18 years old or be represented by someone over 18;

You cannot file more than 20 cases per calendar year;

You may only sue a person or business that you believe owes you money or property.

You cannot sue the State or local government in Small Claims Court.

REMEMBER, you are choosing to pursue a legal claim without a lawyer. While Small Claims are handled somewhat informally, this does not mean the Judge can ignore the law. If your claim is legally deficient or does not fall within the Small Claims law, the Judge may dismiss your case.

THE CLERK'S OFFICE, THE JUDGE'S ADMINISTRATIVE ASSISTANT, NOR THE JUDGE CAN PROVIDE YOU WITH ANY LEGAL ASSISTANCE, ADVICE, OR HELP. THEY CANNOT ANSWER ANY LEGAL QUESTIONS YOU MAY HAVE.

FILING A SMALL CLAIMS

Forms required for filing a Small Claims can be obtained from the Limited Actions Department. These forms must be typed or neatly printed. Forms which cannot be read, or not completely filled out, will not be processed. You must pay the required fee to the Limited Actions Department at the time of filing.

Once your claim has been filed, the Clerk will give you a hearing date. The Court Process Server will then attempt to serve the person you are suing at the address you provided.

PLEASE NOTE - SMALL CLAIMS IS A COURT OF LIMITED VENUE

Notice of your claim MUST be served on the person or business you are suing in Wyandotte County. If not, your claim cannot be heard in this Court and will be dismissed. This is called venue and is a matter of law the Court must follow (K.S.A. 61-2708)

If the Defendant is to be served outside of Wyandotte County, you'll need to contact the Sheriff of the county they can be served in to get the filing fee. When filing your case, you'll need to include a separate check or money order made out to that county's Sheriff along with the Sheriff's address.

EXAMPLE: The person or business you are trying to sue is in another Kansas county or another State and cannot be served in Wyandotte County.

EXAMPLE: You can prove the person or business was a resident of Wyandotte County at the time your claim happened.

SOLUTION: File your case in the County or State where notice can be served.

REMEMBER - *YOUR FILING FEE CANNOT BE REFUNDED IF YOUR CASE IS IMPROPERLY FILED.*

COURT PROCEDURE

When you appear in Small Claims Court, be prepared to present your case to the Judge as simply as possible. You will be asked to explain your claim in a clear and concise manner. You must bring whatever evidence, papers or documents you need to prove your case. You may have witnesses testify. You may subpoena unwilling witnesses if necessary. Witness fees, mileage and out of county service fees will be at your expense, paid in advance.

The person who is being sued will then have an opportunity to tell their side of the case. The Judge will then rule on your case. You may appeal the Judge's ruling by filing a written appeal and paying an additional fee.

VERY OFTEN PEOPLE INVOLVED IN SMALL CLAIMS CASES ARE MAD AT THE PERSON THEY ARE SUING OR ANGRY BECAUSE THEY HAVE BEEN SUED.

EVERYONE IS EXPECTED TO BEHAVE IN A CIVIL MANNER. THE JUDGE WILL NOT TOLERATE OUTBURSTS OR EMOTION OR OTHER MISBEHAVIOR. SUCH CONDUCT COULD RESULT IN IMMEDIATE ARREST FOR CONTEMPT OF COURT.

IT IS UP TO YOU TO COLLECT WHAT IS OWED TO YOU IF YOU WIN. THE JUDGE, THE JUDGE'S ADMINISTRATIVE ASSISTANT AND THE CLERK'S OFFICE CANNOT HELP YOU IN ANY POST-JUDGEMENT EFFORTS. HOWEVER, AT THIS POINT YOU MAY HIRE A LAWYER.

The Judgement Creditor is the party who wins the case. The Judgement Debtor is the party who loses the case. The Clerk will provide the Creditor with a form entitled **JUDGMENT DEBTOR'S STATEMENT OF ASSETS**. This form can be used if necessary, to aid you in the collection of the judgment and as the basis for proceedings such as garnishment of wages or bank accounts, or an execution against a non-exempt property belonging to the Debtor.

The Judgment Debtor (loser) also has 14 days after the judgment has been entered to file an appeal to the District Court. The Debtor may proceed in the same manner as described above for the creditor.

If an appeal has not been filed or full payment made to you within 15 days from the date the judgment was entered, you will need to do the following to enforce collection:

1. Send a copy of the Journal Entry of Judgment and the blank Judgment Debtor's Statement of Assets form to the Judgment Debtor using the U.S. Postal Certificate of Mailing form (PS 3817)

2. The original postmarked Certificate of Mailing form must be filed with the Clerk of the District Court. For expediency, you should enclose a self-addressed, stamped envelope.
3. The Judgment Debtor will then have 30 days to either pay the judgment or complete the Assets form and return it to the Judgment Creditor.
4. The Assets form should provide you with enough information to proceed with the appropriate process, such as garnishment or execution.
5. If this process is not successful, you may proceed to Aid in Execution/Contempt. Forms are available in the Clerk's office.

SATISFACTION OF JUDGMENT

Upon receipt of the awarded money or property, the Claimant should file a satisfaction of Judgment with the Clerk of the District Court. Failure to do this could result in litigation by the defendant against the claimant for any damages resulting from a bad credit showing or any adverse effect of an incomplete record of the disposition of the court case.

LEGAL TERMS YOU NEED TO KNOW

Plaintiff- The person who brings or files a court action, the claimant.

Defendant- The party being sued.

Petition- The document that sets out the cause of action and the amount of money or property being sought by the plaintiff.

Counterclaim- A pleading in which a defendant in a civil action asserts a claim for relief against the person who originally brought the action.

Summons- A document that notifies a defendant that a lawsuit has been filed against them.

Subpoena- An order of the court issued by the Clerks of the District Court commanding a person to appear in court as a witness.

Service- Delivery of a notice of some type by a sheriff or any agent authorized by law and by the method prescribed by law.

Judgment- The decision of the judge in a case.

Garnishment- A procedure by which any debt or salary owed to a judgment debtor is seized and placed under court control to be delivered to the judgment creditor.

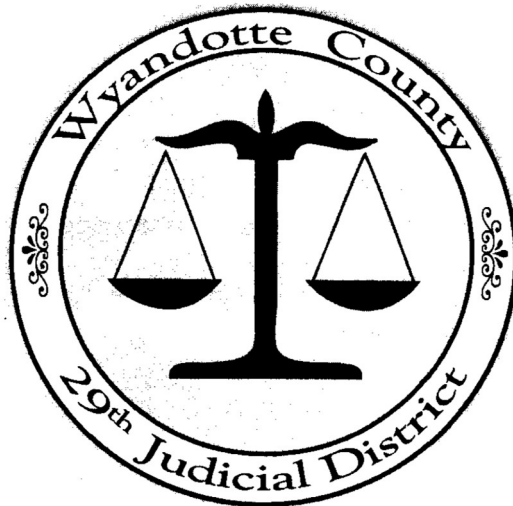
Execution- A court document directing the sheriff to seize any non-exempt property of a judgment debtor and cause said property to be sold in satisfaction of the judgment.

Appeal- A legal proceeding by which a party seeks a higher court review of the action taken by a lower court.

For your information, Kansas Statutes governing Small Claims may be found on the Kansas Legislature website at www.kslegislature.org/legsav-statutes/index.do or search the web under Kansas Statutes Annotated.

Information is also available at www.kansasjudicialcouncil.org/legal-forms under featured link-Civil Actions Ch. 60 including Small Claims and Evictions.

CORTE DE RECLAMOS MENORES



LEA ATENTAMENTE ANTES DE PRESENTAR SU RECLAMO MENOR

A Partir del 1 de Julio, 2014 El costo de sollicitación son:

Reclamo de \$0.01- \$500.00 = \$47.50

Reclamo de \$500.01 - \$4,000.00 = \$67.50

(Hacer los cheques pagaderos a Clerk of the District Court)

Costo de Embargo: \$12.50

(Se aplican costos adicionales del alguacil si el servicio de realiza fuera del condado de Wyandotte)

EL COSTO SUJETAS A CAMBIOS

Tribunal del Condado de Wyandotte
Departamento de Acciones Limitadas

710 N 7th St

Kansas City, Kansas 66101

(913) 573-2811

CORTE DE RECLAMOS MENORES

Las reclamaciones menores son un proceso legal limitado, destinado a proporcionar a los ciudadanos una forma informal de usar el tribunal para resolver ciertos problemas legales.

LIMITACIONES

Su reclamo **no puede** ser más de \$4,000.00;

No puede usar un abogado;

Debe de **tener al menos** 18 años o ser representado por alguien mayor de 18 años;

No puede presentar más de 20 casos por año calendario;

Solo puede demandar a una persona o compañía que usted cree que le debe dinero o bienes.

No puede demandar al gobierno estatal o local en el Tribunal de Reclamos Menores.

Recuerde, usted está eligiendo presentar una demanda legal sin un abogado. Aunque los reclamos menores se manejan un poco informal, esto no significa que el juez pueda ignorar la ley. Si su reclamo es legalmente deficiente o no está dentro de la ley de reclamos menores, el juez puede rechazar su caso.

LA OFICINA DEL SECRETARIO, LA ASISTENTE ADMINISTRATIVO DEL JUEZ, NI EL JUEZ PUEDEN DARLE ASISTENCIA LEGAL, CONSEJO O AYUDA. NO PUEDEN RESPONDER NINGUNA PREGUNTA LEGAL QUE PUEDA TENER.

SOLICITANDO UN RECLAMO MENOR

Las formas requeridas para solicitar un reclamo menor se pueden obtener en el Departamento de Acciones Limitadas. Estas formas deben ser escritos o imprimidos. Las formas que no se pueden leer no serán procesadas. Debe pagar su tarifa al presentar su reclamo al Departamento de Acciones Limitadas.

Una vez que se haya presentado su reclamo, el secretario le dará una fecha de audiencia. El procesador del Tribunal intentara servir a la persona que está demandando en la dirección proveída.

TENGA EN CUENTA-RECLAMOS MENORES ES UN TRIBUNAL DE SEDE LIMITADA

La notificación de su reclamo **DEBE** enviarse a la persona o empresa que está demandando en el Condado de Wyandotte. Si no su reclamo será rechazado. Esto es denomina sede y es una cuestión de ley que el tribunal debe cumplir (K.S.A. 61-2708).

Si el demandado debe ser notificado fuera del condado de Wyandotte, deberá comunicarse con el alguacil del condado en el que se le puede notificar para obtener el costo de servicio. Al presentar

su caso, Debera incluir un cheque o giro postal por separado a nombre del alguacil de ese condado junto con la dirección del alguacil

EJEMPLO: La persona o empresa que está tratando de demandar se encuentra en otro estado y no puede ser servido en Wyandotte.

EXCEPCIÓN: Puede probar que la persona o empresa era un residente del condado de Wyandotte en el momento que presentó su reclamo.

SOLUCIÓN: Presentar su caso en el Condado o Estado donde se pueden notificar.

RECUERDE - Su tarifa de solicitud no puede ser reembolsada si su caso es presentado incorrectamente.

***RECUERDE QUE TODAS LAS FORMAS DEBEN DE COMPLETARSE EN INGLES.**

PROCEDIMIENTO JUDICIAL

Cuando se presente en el Tribunal de Reclamos Menores, esté preparado para presentar su caso al Juez de la manera más sencilla posible. Se le pedirá que explique su reclamo de manera clara y concisa. Debe traer todas la pruebas o documentos que necesite para probar su caso. Usted puede tener testigos si es necesario. Los honorarios de los testigos, el kilometraje y los honorarios de servicio fuera del Condado correrán a su cargo, pagados por adelantado.

La persona que está siendo demandada tendrá la oportunidad de contar su versión del caso. El Juez entonces decidirá sobre su caso. Puede apelar la decisión del juez presentando una apelación por escrito y pagando un costo adicional.

Casi siempre las personas involucradas en casos de reclamos menores están enojadas porque han sido demandas.

Se espera que todos se comporten de manera civil. El Juez no tolerara arrebatos de emoción u otra mala conducta. Tal conducta podría resultar en arresto inmediato por desacato al Tribunal.

Depende de usted para cobrar lo que se le debe si gana. El Juez, la asistente del Juez y la oficina del secretario no pueden ayudarlo en ningún intento posterior al juicio. Sin embargo, en este punto usted puede contratar a un abogado.

El acreedor del fallo es parte que gana el caso. El Deudor del fallo es la parte que pierde el caso. El secretario le proveerá al Acreedor una forma titulado **DECLARACION DE ACTIVOS DEL DEUDOR DEL JUICIO.** Esta forma se puede usar si es necesario para ayudarlo a cobrar la sentencia y como la base de procedimientos como el embargo de salarios o cuentas bancarias, o una ejecución contra cualquier propiedad no exenta perteneciente al deudor.

El Deudor de Fallo (perdedor) también tiene 14 días después de que se haya emitido la sentencia para presentar una apelación ante el Tribunal de Distrito. El Deudor puede proceder de la misma manera descrita anteriormente para el acreedor.

Si no se ha presentado una apelación o se ha realizado el pago completo a usted o al secretario del Tribunal del Distrito dentro de los 15 días posteriores a la fecha de la sentencia, deberá hacer lo siguiente para imponer la recopilación:

1. Envíe una copia de la forma de Declaración de Bienes del Deudor de fallo en blanco y la forma de certificado de envío postal de los EE. UU (Forma PS 3817).
2. La forma original del certificado de envío por correo debe estar archivado con el secretario del Tribunal de Distrito. Por conveniencia, debe adjuntar un sobre estampillado con su dirección.
3. El Deudor Judicial tendrá 30 días para pagar la sentencia o completar la forma de bienes y devolverlo al secretario de la Tribunal de Distrito. El secretario registrará el recibo de la forma en el expediente del Tribunal y luego le enviara la forma de bienes a usted.
4. La forma de bienes debe de proporcionarle suficiente información para continuar con el proceso apropiado, como el embargo o la ejecución.
5. Si este proceso no tiene éxito, puede proceder a Ayuda en Ejecución/Desacato. Las formas están disponibles en la oficina del secretario.

SATISFACCIÓN DE JUICIO

Al recibir el dinero o la propiedad otorgada, el reclamante debe presentar una satisfacción se sentencia con el secretario del Tribunal de Distrito. De lo contrario, el acusado podría presentar un litigio contra el reclamante por los daños resultantes de un mal crédito o cualquier efecto adverso de un registro incompleto de la disposición del caso en el tribunal.

TÉRMINOS LEGALES QUE NECESITA SABER

Demandante – La persona que presenta una acción judicial, el reclamante.

Demandado – La parte demandada.

Petición – El documento que establece la causa de la acción y la cantidad de dinero o propiedad que busca el demandante.

Contrademandada – Un alegato en el que un acusado en una acción civil presenta una demanda de alivio contra la persona que originalmente presente la acción.

Citación - Un documento que notifica el demandado que se ha entablado una demanda en su contra.

Citatorio – Una orden del Tribunal emitida por el secretario del Tribunal del Distrito que ordena a una persona que comparezca ante el tribunal como testigo.

Servicio – entrega de un aviso de algún tipo por sheriff o cualquier agente autorizado por la ley y por el método prescrito por la ley.

Sentencia – La decisión del juez en un caso particular.

Embargo – un procedimiento de cualquier deuda o sueldo adeudado a un deudor de fallo se incauta y se coloca bajo control judicial para ser entregado al acreedor de fallo

Ejecución – Un documento judicial que ordena al alguacil a confiscar cualquier propiedad no exenta de un deudor de sentencia y hacer que dicha propiedad se venda en cumplimiento de la sentencia.

Apelación – Un procedimiento legal al cual una parte solicita una revisión judicial superior de la acción tomada por una corte inferior.

Para su información, las Estatutos de Kansas que rigen Reclamos Menores pueden encontrarse en el sitio web de la Legislatura de Kansas en www.kslegislature.org/legsav-statutes/index.do o busque en la web bajo los Estatutos de Kansas anotados.

La información también esta disponible en www.kscourts.org en Enlaces Destacados – Información de Auto Ayuda.

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

REAL PROPERTY

- Eminent Domain
- Mortgage Foreclosure
- Other Real Property

STATE TAX WARRANT

MISCELLANEOUS

- 60-1507
- Habeas Corpus
- Other Writs

OTHER CIVIL

SMALL CLAIMS

CIVIL APPEALS

- Administrative Agency
- Other Civil Appeal

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: _____

DEFENDANT/OTHER PARTY INFORMATION
(ATTACH ADDITIONAL SHEET, IF NECESSARY)

NAME: _____
ADDRESS: _____

PHONE: _____ SEX: _____
CELL PHONE: _____
E-MAIL: _____
SSN: _____ DOB: _____
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CELL PHONE: _____
E-MAIL: _____
SSN: _____ DOB: _____
DL OR STATE ID NO: _____

DEFENDANT/OTHER PARTY INFORMATION
(ATTACH ADDITIONAL SHEET, IF NECESSARY)

NAME: _____
ADDRESS: _____

PHONE: _____ SEX: _____
CELL PHONE: _____
E-MAIL: _____
SSN: _____ DOB: _____
DL OR STATE ID NO: _____

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
LIMITED ACTIONS DEPARTMENT
SMALL CLAIMS

Plaintiff

Address

Vs.

Case No. _____

Division No. 12

Defendant

Court Date: _____

Time: 2:00 pm

Address

PETITION FOR DAMAGES

INSTRUCTINONS TO PLAINTIFF:

1. State the claim you have against the Defendant in the space provided. Be clear and concise.
2. Your total claim against the Defendant may not exceed \$4,000.00, not including interest, costs and any damages awarded under K.S.A. 60.2610 and amendments thereto. If you are seeking the recovery of personal property, the value of that property shall be based on your estimate of its value under oath.
3. You must appear in person at the hearing in order to avoid Default Judgment against you on any claim the Defendant may have which arises out of the transaction or occurrence which is the subject of your claim against the Defendant.
4. You must make demand for Judgment in one of both or the spaces provided below.
5. Except as provided by law, neither you nor the Defendant is permitted to appear with an attorney at the hearing.

STATEMENT OF CLAIM:

I, _____ (Plaintiff), having read the instructions, assert the following claim against _____ (Defendant):

DEMAND FOR JUDGMENT

Based on the claim stated above, Judgment is demanded against the Defendant as follows:

1. Payment of \$_____, plus interest, costs, and damages awarded under K.S.A. 60-2610 and amendments thereto.
2. Recovery of the following described personal property, plus costs: _____

This property has an estimated value of \$_____.

I, _____ (Plaintiff), hereby swear that, to the best of my knowledge and belief, the forgoing claim asserted against the Defendant (including the estimate of value of any property sought to be recovered) is a just and true statement, exclusive of any valid claim or defense which the Defendant may have.

Plaintiff

Subscribed and Sworn to before me on this _____ day of _____, 20____.

Clerk/Notary Public

My Commission Expires:

IN THE 29TH JUDICIAL DISTRICT
DISTRICT COURT WYANDOTTE COUNTY, KANSAS
LIMITED ACTIONS DEPARTMENT
SMALL CLAIMS

Plaintiff

Address

vs.

Case No. _____
Division No: 12

Defendant

Address

REQUEST FOR SERVICE

I request the Sheriff/Court Process Server of _____ County,

_____, serve _____ by

Personal/ Residential Service.

Dated: _____

Signature

IN THE 29TH JUDICIAL DISTRICT
DISTRICT COURT WYANDOTTE COUNTY, KANSAS
LIMITED ACTIONS DEPARTMENT
SMALL CLAIMS

Plaintiff

Address

vs.

Case No: _____
Division No: 12
Court Date: _____
Time: 2:00 p.m.

Defendant

Address

SUMMONS

TO THE ABOVE NAME DEFENDANT(S)

You are hereby notified that the above-named Plaintiff has filed a claim against you under the Small Claims procedure of this Court. The State of Plaintiff's Claim and Demand for Judgment against you are set forth in the Petition which is served upon you with this Summons.

You must appear in person at the hearing or a Judgment will be entered against you. Except as otherwise provided by law, neither you nor the Plaintiff is permitted to appear with an attorney.

If your defense is supported by witnesses, books, receipts, or other papers, you should bring them with you at the time of your hearing. If you wish to have witnesses summoned, see the Clerk of the Court - Limited Actions Department at once for assistance.

If you admit the claim but desire additional time to satisfy the Plaintiff's demands, you must be present at the trial and explain the circumstances to the Court.

If you have a claim against the Plaintiff, which arises out of the transaction or occurrence which is the subject of Plaintiff's claim and your claim does not exceed \$4,000.00, you must complete the form **"DEFENDANT'S COUNTER-CLAIM"**, which accompanies this Summons, and return it to the Clerk of the Court-Limited Actions Department on or before the hearing date.

If your claim against the Plaintiff exceeds \$4,000.00, you may complete and return the form **"DEFENDANT'S COUNTER -CLAIM"** on or before the hearing date.

A hearing will be held on this matter at **2:00 p.m.** on the _____ day of _____, 20____
at the Wyandotte County Courthouse, in **DIVISION 12** of the Criminal Justice Complex located at 710 N 7th Street,
Kansas City, Ks 66101

Date: _____

Deputy Court Clerk

IN THE 29TH JUDICIAL DISTRICT
DISTRICT COURT WYANDOTTE COUNTY, KANSAS
LIMITED ACTIONS DEPARTMENT
SMALL CLAIMS

Plaintiff

Address

vs.

Case No. _____
Division No: 12

Defendant

Address

DEFENDANT'S COUNTER-CLAIM

INSTRUCTIONS TO DEFENDANT:

1. As stated in the Summons, if you have a claim against the Plaintiff which arises out of the transaction or occurrence which is the subject of the Plaintiff's claim and your claim does not exceed \$4,000.00, you must state your claim in the space provided below. If your claim against the Plaintiff exceeds \$4,000.00, you must also state your claim in the space provided below. In determining whether or not your claim against the Plaintiff exceeds \$4,000.00, do not include interest, costs, and any damage under the K.S.A. 60-2610 and amendments thereto, but do include the value of any personal property sought to be recovered as determined by your estimate of its value under oath.
2. Be clear and concise in stating your claim.
3. If the value of your claim exceeds \$4,000.00 (not including interest, cost, and any damages awarded under K.S.A. 60.2610 and amendments thereto, but including the value of any personal property sought to be recovered, as determined by your estimate of its value under oath), the Court must decide whether you may pursue your entire claim or only that portion not exceeding \$4,000.00.
4. If your claim exceeds \$4,000.00 and the Court determines that you may not pursue the entire claim at the hearing, you have three (3) alternatives: 1) Make no demand for judgment and reserve the right to pursue your entire claim in a court of competent jurisdiction; 2) Make a demand for judgment for the portion of your claim which does not exceed \$4,000.00 and reserve the right to bring action in a court of competent jurisdiction for any amount in excess thereof; or 3) Make a demand for judgment for the portion of your claim which does not exceed \$4,000.00 and waive your right to recover any excess.
5. When completed, this form must be filed with the Clerk of the Court in the Limited Actions Department on or before your hearing.

STATEMENT OF CLAIM

I, _____ (Defendant), having read the instructions, assert the following claim against _____ (Plaintiff): _____

DEMAND FOR JUDGMENT

Based on the claim stated above, Judgment is demanded against the Plaintiff as follows:

- 1. Payment of \$_____, plus interest, costs, and damages awarded under K.S.A. 60-2610 and amendments thereto.
- 2. Recovery of the following described personal property, plus costs: _____

This property has an estimated value of \$_____.

I, _____ (Defendant) hereby swear that, to the best of my knowledge and belief, the foregoing claim asserted against the Plaintiff (including the estimate of value of any property sought to be recovered) is a just and true statement.

Defendant

Subscribed and Sworn to me on this _____ day of _____, 20__.

Clerk/Notary Public

My Commission Expires:
