



State of Kansas
29th Judicial District
Wyandotte County Courthouse
Kansas City, Ks

INSTRUCTIONS FOR FILING A PATERNITY CASE

WARNINGS and GENERAL INFORMATION:

- A. The *pro se* forms available through Wyandotte County's Self Help Center are basic. These forms do NOT deal with every situation. A paternity case can be complicated, and using legal forms without an attorney's help may not be advisable.
- B. Court staff CANNOT give you legal advice or tell you exactly how to fill out your pleadings. If you have legal questions or a complicated case, you should talk to an attorney. An attorney from Kansas Legal Services is available in the Self Help Center on Wednesdays.
- C. Our courts require everyone to follow court rules. If you cannot follow the court rules you may not be able to finalize your paternity case. If you choose to represent your self (meaning you are acting as your own attorney), you are still expected to know and follow the same court rules and laws as an attorney.
- D. When your case is filed, you will be given a case number. Your case "caption" with this case number must be included on all pleadings or documents you file with the Court in the future.
- E. After you have filed your initial pleadings and Civil Cover Sheet, which includes your address and contact information, you must inform the Clerk of the District Court and your assigned Division of any changes. A Notice of Change of Address is available in the Self Help Center.

INSTRUCTIONS FOR FILING AND SERVING YOUR PATERNITY PLEADINGS:

Filing:

- A. To start a paternity case you must complete and file the following documents:
- a. Civil Information Sheet – a general information form for the Clerk’s office.
 - b. Paternity Petition– the main pleading alleging parenthood and requesting custody orders and child support.
 - c. Domestic Relations Affidavit (DRA) – a sworn affidavit of your income and other facts for Child Support purposes.
 - d. Proposed Parenting Plan – for custody, parenting time, exchanges.
 - e. Request and Service Form, if not filing a Voluntary Entry of Appearance
- B. After filling out the above forms, Sign the Paternity Petition and the Domestic Relations Affidavit in front of a notary public. Notary publics may commonly be found in the Court House, law firms, title companies and financial institutions, i.e. banks and credit unions. Once they have been notarized, you must file them in the Civil Department on the 3rd Floor.

At the time of filing you must pay the filing fee of \$195.00.

Service:

You must notify the alleged father (or the mother) that you have filed a Paternity Petition in one of the following ways:

- a. “Voluntary Entry of Appearance”: the other party signs a Voluntary Entry of Appearance form in front of a notary public, which acknowledges receipt of the Paternity Petition. You must make sure the Voluntary Entry of Appearance with the other party’s original signature is then filed with the Clerk.
- b. “Sheriff’s Service”: The Clerk issues the “Summons” and the Sheriff “serves” it on the respondent. You must fill out a Request for Service Form, requesting that the sheriff deliver the Petition, a summons and other documents to the other party. The sheriff’s service fee is \$15.00. If he/she lives in a state other than Kansas, contact the sheriff of the county they live in to find out what the service fee is. You must include a separate check/money order for the service fee.
- c. “Court Process Server”: The Clerk issues the “Summons” and the Court Process Server “serves” it on the respondent. The Court Process Server can only be used if the respondent lives in Wyandotte County.

d. **“Certified Mail Service”**: You must mail the summons and Paternity Petition by certified mail - return receipt requested to the other party 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. Use the “Return of Service” form.

e. **“Publication”**: If you cannot provide notice of the Paternity Petition under either (a), (b), or (c), then you may be able to provide notice of the case 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.

INSTRUCTIONS FOR COMPLETING YOUR PATERNITY CASE AFTER FILING

1. **FILE THE NOTICE OF HEARING.** Once you have filed your Paternity Petition you should get a *hearing date and time* from the Administrative Assistant in the Division your case gets assigned to. You will need to fill out and file a Notice of Hearing with the Civil Department. Once you file it, you will need to send a copy to the other party either by certified mail or first class mail. You will then fill out the “Certificate of Service” portion of the form, swearing that you have mailed the Notice of Final Hearing to the other party.
2. **ATTEND THE EFFECTIVE CO-PARENTING TECHNIQUES CLASS.** You are required to attend the “ETC” class with Domestic Court Services prior to your final hearing. Classes are currently being held via ZOOM and registration is required. The Court will issue the ETC order when paternity is established by admission or hearing. More information is available on our website www.wycodistrictcourt.org/effective-co-parenting-technique. Proof of attendance of the ETC class will be electronically filed with the clerk’s office by Domestic Court Services prior to your final hearing.
3. **HAVE A PARENTING PLAN.** You must decide on a Permanent Parenting Plan prior to your final hearing. Complete the attached Parenting Plan form and take with it you to the final hearing. You must file it with the Civil Clerk’s Office after your hearing.
4. **COMPLETE A CHILD SUPPORT WORKSHEET.** You must prepare EITHER a Child Support Worksheet OR a Shared Expense Plan prior to your final hearing.

Parents CANNOT make their own agreement or “deal” with regard to child support. All child support orders must comply with the Kansas Child Support Guidelines, which are by order of the Kansas Supreme Court.

- a. You can read the Kansas Child Support Guidelines online at <http://www.kscourts.org/Rules-procedures-forms/Child-support-guidelines/2012-guidelines.asp>. Click on “Clean Version” on the website to read the guidelines in full. Section IV of the Guidelines contains specific instructions for completing a child support worksheet.
- b. The easiest way to complete a Child Support Worksheet is to use the Bradley Software Child Support Calculator. The Bradley Software guides you through the child support worksheet with an easy question-and-answer format, and it does the child support calculations for you. The attorney in the Self Help Center can help you fill out the Child Support Worksheet. You can also download a one-day free trial of the Bradley Software online at <http://www.bradleysoftware.com/free-trial.asp>.
- c. Parents who share time with their children equally or nearly equally under their parenting plan may be able to use a Shared Expense Plan instead of a Child Support Worksheet. Sharing expenses is complicated and is intended for highly cooperative parents who are committed to keeping good records and communicating regularly. The Court will only approve a shared expense plan if it is a voluntary, detailed, written, signed agreement. Examples of Shared Expense Plans that comply with the state guidelines may be found as an appendix to the Child Support Guidelines, linked above, or are available in the Self Help Center. *Note that even if you have a shared expense plan, you must still prepare and bring a Child Support Worksheet.*

JOURNAL ENTRY OF PATERNITY. You are responsible for drafting and filing your proposed Journal Entry of Paternity. Blank order forms are available in the Self Help Center and at www.wycodistrictcourt.org/forms. This is the document that legally establishes the parent/child relationship, orders legal custody and parenting time, and orders child support.

5. **ATTEND THE FINAL HEARING**

As mentioned above, you should **bring the following documents** to your final hearing:

1. A Parenting Plan signed by you (and the other parent if possible)
2. A completed Child Support Worksheet OR Shared Expense Plan
3. Current Domestic Relations Affidavit of each party (petitioners should be on file from initial filing. It may not always be possible to get one from an absent or uncooperative parent).
4. Acknowledgment of Paternity form if you have it.
5. Effective Co-Parenting Techniques Class Class Certificates of Attendance of both parents (or at least yours).
6. Completed Kansas Payment Center Child Support Order Information Sheet (if there is no shared expense plan).
7. A file stamped copy of your Notice of Hearing Return, stating who you served, how you served them and when you served them.

At the final hearing the judge will ask you for these documents. You should be prepared to tell the Judge about the basic facts supporting your allegation of paternity. You should also be prepared to tell the judge why your proposed Parenting Plan is in the children's best interests.

After the judge has approved your agreements, you must file an Order/Journal Entry with the courts. This form is available at the Self Help Center and, on our website, www.wycodistrictcourt.org/forms. You must make sure that your order/journal entry is as specific as possible, taking notes during your ZOOM hearing if needed. Once you have filled out the order, take it to the Civil Department and they will place it in the Judges box. You will be notified if the Judge approves your order or not. You must provide a file-stamped copy of all final pleadings to the other parent and you should keep copies for your own records as well.

WARNING – no paternity or child support orders are in place until your Journal Entry of Paternity has been filed with the Clerk of the District Court.

IF YOU NEED TO CANCEL OR RESCHEDULE YOUR FINAL HEARING, PLEASE CONTACT THE DIVISION ADMINISTRATIVE ASSISTANT IMMEDIATELY. RESCHEDULING YOUR FINAL HEARING WILL REQUIRE YOU TO SERVE A NEW NOTICE OF HEARING

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.

<u>NATURE OF SUIT</u> (Mark only one - If the case involves more than one of the following categories, indicate the category having the highest dollar value.)			
<u>CIVIL</u>		If a CH. 61: \$ _____ (Judgment Demand Amount)	
TORT WARRANT <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	CONTRACT <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 - Unlawful Detainer <input type="checkbox"/> Landlord/Tenant Dispute – Other <input type="checkbox"/> Seller Plaintiff (debt collection) <input type="checkbox"/> Other Contract CIVIL APPEALS <input type="checkbox"/> Administrative Agency <input type="checkbox"/> Other Civil Appeal	REAL PROPERTY <input type="checkbox"/> Eminent Domain <input type="checkbox"/> Mortgage Foreclosure <input type="checkbox"/> Other Real Property MISCELLANEOUS <input type="checkbox"/> 60-1507 <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> Other Writs <input type="checkbox"/> OTHER CIVIL <input type="checkbox"/> SMALL CLAIMS	<input type="checkbox"/> STATE TAX
<u>DOMESTIC</u>			
<input type="checkbox"/> MARRIAGE DISSOLUTION/DIVORCE <input type="checkbox"/> PROTECTION FROM ABUSE <input type="checkbox"/> PROTECTION FROM STALKING <input type="checkbox"/> UIFSA <input type="checkbox"/> OTHER DOMESTIC RELATIONS <input type="checkbox"/> NON-DIVORCE SUPPORT, CUSTODY OR VISITATION <input type="checkbox"/> PATERNITY			
<u>PROBATE/ESTATE</u>			
GUARDIAN/CONSERVATOR <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	<input type="checkbox"/> DETERMINATION OF DESCENT <input type="checkbox"/> SEXUALLY VIOLENT PREDATOR <input type="checkbox"/> DECEDENT ESTATE CARE AND TREATMENT	<input type="checkbox"/> ELDER ABUSE <input type="checkbox"/> OTHER PROBATE/ESTATE	<input type="checkbox"/> ADOPTION

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 DISTRICT COURT OF WYANDOTTE COUNTY, KANSAS
CIVIL DEPARTMENT

_____,
minor child(ren), by and through his her
next friend,
_____, Plaintiff
vs.
_____, Defendant

Case No. _____
Division _____

PETITION FOR DETERMINATION OF PATERNITY

_____, a minor child, by their next friend, _____,

father mother state that:

1. _____ is a minor child under the age of eighteen who was born on _____ 20___. They live with _____ the natural father mother at _____ (address), in _____ County, Kansas.

2. _____ is a minor child under the age of eighteen who was born on _____ 20___. They live with _____ the natural father mother at _____ address, in _____ County, Kansas.

[Add more pages if there are additional children]

3. _____ is the natural mother of the children above.

4. _____ is the natural father of the children above.

5. _____ (Father) (Check all that apply)

signed a voluntary acknowledgment of paternity

is named as father on the Child's Birth Certificate

held himself out to the public to be the father; and is thereby presumed to be the father of the child. (Write N/A if there is not a presumed father)

6. The address of the defendant is: _____

7. The children herein are entitled to child support.

WHEREFORE, I and the children request that

- _____ be determined to be the father of the minor child(ren)
- _____ be determined to be the mother of the minor child(ren)

and that the court establish a parenting plan and child support for the child(ren); and for such other orders as may be appropriate.

Signature of Petitioner

Name: _____

Address: _____

City/State _____

Phone _____

Email _____

Date _____

VERIFICATION

Pursuant to K.S.A. 53-601, the undersigned within/outside the state of Kansas attests and declares that the foregoing is true under the penalty of perjury I verify under penalty of perjury under the laws of the state of Kansas that the foregoing is true and correct.

Signed on _____

Signature of Petitioner

IN THE DISTRICT COURT OF WYANDOTTE COUNTY, KANSAS
CIVIL DEPARTMENT

_____,
minor child(ren), by and through his her
next friend,

Case No. _____
Division _____

_____, Plaintiff

vs.

_____, Defendant

VOLUNTARY ENTRY OF APPEARANCE

"Plaintiff" means the person who filed the Petition.

"Defendant" 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: _____

City, State, Zip: _____

Telephone Number: _____

Email: _____

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 DISTRICT COURT OF WYANDOTTE COUNTY, KANSAS
CIVIL DEPARTMENT

_____,
minor child(ren), by and through his her
next friend,

Case No. _____
Division _____

_____, Plaintiff

vs.

_____, Defendant

Respondent's Address:

REQUEST AND SERVICE INSTRUCTION FORM

"Plaintiff" means the person who filed the Petition.

"Defendant" 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: _____

City, State, Zip: _____

Telephone Number: _____

Email: _____

IN THE DISTRICT COURT OF WYANDOTTE COUNTY, KANSAS
CIVIL DEPARTMENT

_____,
minor child(ren), by and through his her
next friend,
_____, Plaintiff

Case No. _____
Division _____

vs.

_____, Defendant

MOTION FOR EX PARTE TEMPORARY ORDERS

COMES NOW the Petitioner, and moves the Court for the following temporary orders:

1. Petitioner has filed a verified Petition for Determination of Paternity in the District Court of Wyandotte County, Kansas.
2. Petitioner requests the Court grant temporary orders in accordance with K.S.A. 23-2224 pending final hearing of Paternity or until further order of the Court.
3. Petitioner requests that the court enter parenting time reflecting the parties *de facto* parenting plan as set for below.
4. Petitioner requests both parties be restrained as follows:

1. Parties are both restrained and prohibited from bothering, harassing, molesting, or otherwise interfering with the privacy of the other at home or work or elsewhere, in person or by telephone or e-mail or other electronic means. Neither Party shall physically or verbally threaten the other with bodily harm or place the other in fear for his or her safety. **The terms of this Order shall be enforceable by any law enforcement officer to whom a copy of this Order is exhibited and either party shall have the assistance of any such law enforcement officer upon request without further Order of the Court. The parties are each advised that violation of this Order may constitute violation of a protective order under K.S.A. 21-3843, as amended.**

2. Parties are both restrained and prohibited from altering, removing, selling, giving away, disposing, hiding, spending, mortgaging, pledging, or encumbering any assets, including withdrawals from checking, savings or other financial accounts, unless reasonably necessary for normal day-to-day business or personal expenses, for reasonable attorneys' fees and litigation expenses, in order to comply with this court's orders, or with written consent from both parties.

3. Parties are both restrained from destroying, altering or hiding any personal or business records, whether written, electronic, or any other form.

Other: _____
_____.

B. Restriction of Information Regarding the Child(ren) to Non-Legal Custodian.
The Mother Father is restrained from accessing the child(ren)'s health,
educational and other personal information because of the following specific reasons:

_____.

7. Parenting Time. Both parents shall have parenting time with the child(ren). Time with both parents is the child's right. The current daycare and school arrangements shall not be changed absent written agreement of the parents or Court order.

Mother currently resides at: _____

Father currently resides at: _____

The parents shall follow the temporary parenting time arrangement set forth below, subject to minor alterations by agreement between the parties (**set out the schedule in as much detail as possible; do not simply reference the parenting plan or bar association guidelines; only include reasonably imminent holidays**):

Mother's Parenting Time. Mother shall have the following parenting times:

Father's Parenting Time. Father shall have the following parenting times:

Parenting Time Restrictions. The following parenting time restrictions apply: (supervised, exchange provisions, etc.)

8. Civility and Protection of the Child(ren) from Harmful Conflict. Each parent shall make every possible effort to protect their child(ren) from awareness of or involvement in conflict between the parents. Neither parent shall allow the minor child(ren) to read court pleadings or related documents. Neither parent shall make or allow others to make any critical or disparaging remarks about the other parent (or that parent's family, friends and associates), while the minor child(ren) is/are present or can hear or read such remarks. Each parent shall make sure

the minor child(ren) is/are not within the presence of any person making any critical or disparaging remarks about the other parent (or that parent's family, friends and associates).

9. Child Support. _____ shall pay to _____ \$ _____ each month as temporary child support, payable as provided in paragraph (11).

10. Payment Due Dates. Support payments shall be in equal monthly installments beginning _____, 20__.

11. Payment Location. All support payments shall be paid through the Kansas Payment Center, P.O. Box 758599, Topeka, KS 66675-8599. Payments shall contain both the case number and the designation of "WY." Both Mother and Father shall provide the Kansas Payment Center, Wyandotte County District Court Trustee's Office and/or DCF with any information requested and shall provide written notice of any change of name, residence address, or employer within seven (7) days after the change.

12. Income Withholding Provisions. (use applicable provisions).

Child Support. (with or without spousal support). The District Court Trustee or DCF shall issue an immediate Income Withholding Order to Obligor's employer under K.S.A. 23-4,107(b) to enforce this order for support.

13. Other Orders:

A. _____

B. _____

C. _____

Submitted by:

Signature

Name: _____

Address: _____

City/State/ZIP: _____

Phone: _____

Email: _____

CERTIFICATE OF SERVICE

This is to certify that on _____, 20__, I did mail a true and correct copy of the foregoing Motion by depositing it in the United States mail, postage prepaid, addressed to the following:

Address of Opposing Party:

Name: _____

Address: _____

City, ST, Zip: _____

Petitioner

IN THE DISTRICT COURT OF WYANDOTTE COUNTY, KANSAS
CIVIL DEPARTMENT

_____,
minor child(ren), by and through his her
next friend,
_____, Plaintiff

Case No. _____
Division _____

vs.

_____, Defendant

EX PARTE TEMPORARY ORDERS

NOW on this _____ day of _____, 20____, after reviewing the (verified Petition and Motion for Ex Parte Temporary Orders submitted by the Petitioner and hearing statements of counsel, the Court issues the following Temporary Orders to remain in effect until modified or terminated. These Temporary Orders supersede all previously filed temporary orders.

1. Parties are both restrained and prohibited from bothering, harassing, molesting, or otherwise interfering with the privacy of the other at home or work or elsewhere, in person or by telephone or e-mail or other electronic means. Neither Party shall physically or verbally threaten the other with bodily harm or place the other in fear for his or her safety. **The terms of this Order shall be enforceable by any law enforcement officer to whom a copy of this Order is exhibited and either party shall have the assistance of any such law enforcement officer upon request without further Order of the Court. The parties are each advised that violation of this Order may constitute violation of a protective order under K.S.A. 21-3843, as amended.**

2. Parties are both restrained and prohibited from altering, removing, selling, giving away, disposing, hiding, spending, mortgaging, pledging, or encumbering any assets, including withdrawals from checking, savings, or other financial accounts, unless reasonably necessary for normal day-to-day business or personal expenses, for reasonable attorneys' fees and litigation expenses, in order to comply with this court's orders, or with written consent from both parties.

3. Parties are both restrained from destroying, altering or hiding any personal or business records, whether written, electronic, or any other form.

4. Parties are both restrained and prohibited from modifying, altering, changing or canceling any coverage, persons insured, or beneficiaries named on any existing insurance policy, whether for life, medical, dental, health, vehicle, disability, death, dismemberment or other type or kind of insurance, unless with written consent from both Parties.

5. Child-Custody Jurisdiction. The Court makes a preliminary non-binding finding of child-custody jurisdiction under the following UCCJEA provision: (home state).

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

The Mother Father is restrained from accessing the child(ren)'s health, educational and other personal information because of the following specific reasons:

7. Parenting Time. Both parents shall have parenting time with the child(ren). Time with both parents is the child's right. The current daycare and school arrangements shall not be changed absent written agreement of the parents or Court order.

Mother currently resides at: _____

Father currently resides at: _____

The parents shall follow the temporary parenting time arrangement set forth below, subject to minor alterations by agreement between the parties (**set out the schedule in as much detail as possible; do not simply reference the parenting plan or bar association guidelines; only include reasonably imminent holidays**):

Mother's Parenting Time. Mother shall have the following parenting times: All times not with the father.

Father's Parenting Time. Father shall have the following parenting times: All times not with the mother.

Parenting Time Restrictions. The following parenting time restrictions apply: (supervised, exchange provisions, etc.)

8. Civility and Protection of the Child(ren) from Harmful Conflict. Each parent shall make every possible effort to protect their child(ren) from awareness of or involvement in conflict between the parents. Neither parent shall allow the minor child(ren) to read court pleadings or related documents. Neither parent shall make or allow others to make any critical or disparaging remarks about the other parent (or that parent's family, friends and associates), while the minor child(ren) is/are present or can hear or read such remarks. Each parent shall make sure the minor child(ren) is/are not within the presence of any person making any critical or disparaging remarks about the other parent (or that parent's family, friends, and associates).

9. Child Support. _____ shall pay to _____ \$ _____ each month as temporary child support, payable as provided in paragraph (11).

10. Payment Due Dates. Support payments shall be in equal monthly installments beginning _____, 20____.

11. Payment Location. All support payments shall be paid through the Kansas Payment Center, P.O. Box 758599, Topeka, KS 66675-8599. Payments shall contain both the case number and the designation of "WY." Both Mother and Father shall provide the Kansas Payment Center and Wyandotte County District Court Trustee's Office/Maximus with any information requested and shall provide written notice of any change of name, residence address, or employer within seven (7) days after the change.

12. Income Withholding Provisions. (use applicable provisions).

13. Child Support. (with or without spousal support). The District Court Trustee/Maaximus shall issue an immediate Income Withholding Order to Obligor's employer under K.S.A. 23-4,107(b) to enforce this order for support.

14. Other Orders:

- A. _____

- B. _____

- C. _____

IT SO ORDERED

Judge

Submitted by:

Signature

Name: _____

Address: _____

City/State/ZIP: _____

Phone: _____

Email: _____

IN THE DISTRICT COURT OF WYANDOTTE COUNTY, KANSAS
CIVIL DEPARTMENT

Domestic Relations Affidavit

_____,
minor child(ren), by and through his her
next friend,

Case No. _____
Division _____

_____, Plaintiff

vs.

_____, Defendant

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

- | | |
|--|---|
| <input type="checkbox"/> parenting time adjustment | <input type="checkbox"/> agreement past majority |
| <input type="checkbox"/> income tax consideration | <input type="checkbox"/> long distance parenting time |
| <input type="checkbox"/> special needs | <input type="checkbox"/> overall financial conditions |
| <input type="checkbox"/> other: _____ | |

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.

Health Insurance	COBRA Continuation .		
	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 _____

IN THE DISTRICT COURT OF WYANDOTTE COUNTY, KANSAS
CIVIL DEPARTMENT

minor child(ren), by and through his her
next friend,
_____, Plaintiff
vs.
_____, Defendant

Case No. _____
Division _____

PARENTING PLAN

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

This Parenting Plan is temporary permanent.

Proposed by Petitioner Proposed by Respondent Agreed by Petitioner and Respondent
 Developed by the Court.

After due consideration, the Court enters the following Parenting Plan that serves the child(ren)'s best interests on this ____ day of _____, 20 ____:

Section I. GENERAL INFORMATION

This parenting plan applies to the following children:

Full Name of Child	Gender Birth	Date (Month/Yr) and Age
_____	<input type="checkbox"/> M <input type="checkbox"/> F	_____
_____	<input type="checkbox"/> M <input type="checkbox"/> F	_____
_____	<input type="checkbox"/> M <input type="checkbox"/> F	_____
_____	<input type="checkbox"/> M <input type="checkbox"/> F	_____
_____	<input type="checkbox"/> M <input type="checkbox"/> F	_____

For the purposes of this parenting plan, the following definitions apply:

Parent A is _____ (insert name), and
Parent B is _____ (insert name).

Section II. Legal Custody (Decision-Making)

A. **Joint Legal Custody.** Parents shall have joint legal custody of their minor child(ren). "Joint legal custody" means that both parents have equal rights to participate in, contribute to, and have responsibility for

matters of health and education in their child(ren)'s best interests. Neither parent's rights are superior to the other parent's rights, and they should cooperate to determine what is in their children's best interests.

B. **Sole Legal Custody.** Joint legal custody is not in the child(ren)'s best interests. "Sole legal custody" means that the parent granted sole legal custody has the primary right to decide matters of health and education in the child(ren)'s best interests. The parent not granted sole legal custody may make emergency decisions affecting the child(ren)'s health or safety when the child(ren) are in that parent's physical care and control. The grant of sole legal custody to one parent does not deprive the other parent of access to information regarding the child(ren) unless the court specifically orders, stating the reasons for that determination.

1. Sole legal custody is granted to Parent A Parent B for the following reasons:

a. Agreement of the parents.

b. The other parent is unable or should not be allowed to exercise decision-making because:

c. There is a danger to the child(ren) because: _____

d. Other: _____

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

The Parent A Parent B is restrained from accessing the child(ren)'s health, educational and other personal information because of the following specific reasons:

Section III. Parenting Time Schedule.

Parent A shall have parenting time beginning at _____ am pm ending at _____ am pm as follows:

Parent A's Weekday Schedule:

Parent A's Weekend Schedule:

Parent A's Other Times:

Parent B shall have parenting time beginning at _____ am pm ending at _____ am pm as follows:

Parent B's Weekday Schedule:

Parent B's Weekend Schedule:

Parent B's Other Times:

The holiday schedule as set out in the _____ (name county) Family Law Guidelines controls holiday parenting time

Or

The holiday schedule is as follows:

<u>HOLIDAY PARENTING SCHEDULE</u>	<u>Parent A</u> <u>Even/Odd/Every</u>	<u>Parent B</u> <u>Even/Odd/Every</u>
New Year's Day: From _____ (day) at _____ (time) until _____ (day) at _____ (time)		
Spring Break: From _____ (day) at _____ (time) until _____ (day) at _____ (time)		
Spring Break: From _____ (day) at _____ (time) until _____ (day) at _____ (time)		
Memorial Day/weekend: From _____ (day) at _____ (time) until _____ (day) at _____ (time)		
Mother's Day: From _____ (day) at _____ (time) until _____ (day) at _____ (time)		
Father's Day/Weekend: From _____ (day) at _____ (time) until _____ (day) at _____ (time)		
Independence Day: From _____ (day) at _____ (time) until _____ (day) at _____ (time)		
Labor Day/weekend: From _____ (day) at _____ (time) until _____ (day) at _____ (time)		
Halloween: From _____ (day) at _____ (time) until _____ (day) at _____ (time)		
Thanksgiving Day/weekend: From _____ (day) at _____ (time) until _____ (day) at _____ (time)		
Winter Break: From _____ (day) at _____ (time) until _____ (day) at _____ (time)		

<u>HOLIDAY PARENTING SCHEDULE</u>	<u>Parent A</u> <u>Even/Odd/Every</u>	<u>Parent B</u> <u>Even/Odd/Every</u>
Winter Break: From _____(day) at _____(time) until _____(day) at _____(time)		
Other: From _____(day) at _____(time) until _____(day) at _____(time)		
Other: From _____(day) at _____(time) until _____(day) at _____(time)		
Other: From _____(day) at _____(time) until _____(day) at _____(time)		
Other: From _____(day) at _____(time) until _____(day) at _____(time)		

Section IV. Dispute Resolution Process

Disputes between the parents, other than about child support, shall be submitted to:

- Mediation by: _____ (name of mediator)
- The following dispute resolution method: _____.

Section V. Military Deployment, Mobilization, or Unaccompanied Tour

Parent A Parent B is a military servicemember and the following shall apply upon notice of deployment, mobilization, temporary duty, or unaccompanied tour:

1. A parent receiving deployment, mobilization, temporary duty, or unaccompanied tour orders from the military shall be considered a “deployed parent.”
2. The absence, relocation, or failure to comply with a parenting order by a “deployed parent,” shall not by itself constitute a material change in circumstances to make any permanent change to the parenting plan.
3. Any court order limiting previously ordered parenting rights due to the parent's deployment, mobilization, temporary duty, or unaccompanied tour shall state that event as its basis and shall constitute only a “temporary order.”
4. The non-deploying parent shall provide the court and deployed parent at least 30 days advance written notice of any change of address or telephone number.
5. The non-deploying parent shall reasonably accommodate the deployed parent’s leave schedule.
6. The non-deploying parent shall facilitate telephone and electronic communication between the children and the deployed parent.

7. The deployed parent shall provide the nondeployed parent with timely information about the deployed parent's anticipated deployment, leave during deployment, and release from deployment.

8. During deployment, mobilization, temporary duty, or unaccompanied tour, the parents shall make decisions about the child(ren) by the following methods: _____

9. During deployment, mobilization, temporary duty, or unaccompanied tour, the child(ren) shall live with: Parent A Parent B Other _____ and the deployed parent shall have the following parenting time with the child when available:

Section VI. Address-Change

A. Each parent shall notify the other parent of any address change in writing no less than 30 days before changing address by sending written notice to the other parent by certified mail – restricted delivery, return receipt requested, at that other parent's last known address.

B. Each parent shall notify the other parent of any plan to remove any child(ren) from the State of Kansas for more than 90 days by sending written notice to the other parent by certified mail – restricted delivery, return receipt requested, at that other parent's last known address.

C. A parent is not required to give written notice of removal to the other parent under either (A) or (B) if the other parent has been convicted of a crime specified in Article 34 (crimes against persons), Article 35 (sex offenses), or Article 36 (crimes affecting family relationships and children) of Chapter 21 (Crimes and Punishments) of the Kansas Statutes Annotated to which the child(ren) was the victim.

Section VII. Other Requirements

Other requirements for this parenting plan: _____

Section VIII. Signatures: Required if agreed upon by the parties.

Parent A
Name: X _____
(Signature)

Parent B
Name: X _____
(Signature)

Name: _____ Name: _____
(Printed) (Printed)

Address: _____ Address: _____

Telephone: _____ Telephone: _____

Date Signed: _____ Date Signed: _____

Attorney (if any): _____ Attorney (if any): _____
(Signature) (Signature)

Attorney (if any): _____ Attorney (if any): _____
(Printed) (Printed)

APPROVED THIS ____ DAY OF _____, 20 ____.

DISTRICT JUDGE

IN THE DISTRICT COURT OF WYANDOTTE COUNTY, KANSAS
CIVIL DEPARTMENT

_____,
minor child(ren), by and through his her
next friend,
_____, Plaintiff
vs.
_____, Defendant

Case No. _____
Division ____

NOTICE OF HEARING

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

X _____
Your Signature Self-Represented

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

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): _____

5. Plaintiff Defendant shall pay Plaintiff Defendant \$ _____ for one half the support enforcement fee per month as child support payable on the first day of each month beginning _____, 20___. The court adopts the child support worksheet filed with this journal entry
6. Plaintiff Defendant is granted a judgment of \$ _____ for expenses of support and education of the child from _____, 20__ to _____, 20__.
7. All support and maintenance payments shall be made payable to the order of the Kansas Payment Center P. O. Box 758599, Topeka, Kansas 66675-8599. Each payment must include in the memo section, or some other place “WY” followed by the case number.
8. The District Court Trustee / Maximus (State of Kansas) shall enforce the orders of support entered herein. Both parties must inform the District Court Trustee / Maximus in writing of any change of name, residence, and employer (with business address) within 7 days after the change.
9. Unless the court makes findings in conformity with K.S.A. 23-3103(j), income withholding shall take effect immediately to enforce the order of child support or child support and maintenance granted herein.
10. _____ shall maintain health insurance for the child and provide the other parent with the name and address of the insurance company, the policy identification number, and a card or other indicia of insurance sufficient for her to use on behalf of the child. Any uninsured medical expenses for the child(ren) will be paid by the parties in the percentages found on line D2 of the Child Support Worksheet.
11. The parties agree:
 - to share the income tax exemption for the child with plaintiff claiming in even years and defendant claiming in odd years.
 - to share the income tax exemption for the child with plaintiff claiming in odd years and defendant claiming in even years.
 - Plaintiff will claim the child for income tax purposes in all years.
 - Defendant will claim the child for income tax purposes in all years.

IT IS SO ORDERED.

Judge

Signatures:

Mother's Signature

Please print:

Name

Address

City, State, Zip

Phone

Email

Father's Signature

Please print:

Name

Address

City, State, Zip

Phone

Email