

INSTRUCTIONS FOR PRO SE MOTION TO ESTABLISH PARENTING TIME

*******Please read these instructions in their entirety before you begin!*******

The following information is provided to assist you in obtaining a hearing to establish parenting time in your case. A hearing cannot be held until your motion has been filed and all of the steps have been completed.

A filing fee must be paid when filing your motion. Check with the clerk to find out the amount of the filing fee.

When seeking to establish parenting time, the following documents must be completed, filed with the court, **and a copy provided to the other party**. Complete the documents with a typewriter or print legibly in black or blue ink. You may download the forms in a Microsoft Word format or re-create the forms on a computer or word processor as well.

Complete:

1. Motion to Establish Parenting Time
2. Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit
3. Proposed Parenting Plan
4. Notice of Hearing
5. Request and Service Instruction Form (one for each party to be served)
6. Return of Service for Certified Mail (if completing service by Certified Mail)

Follow the steps below in the order given. Check each one off as you complete it to properly file your motion with the court.

1. Motion to Establish Parenting Time

- a. Fill out the Motion to Establish Parenting Time completely. Make sure you sign your name where indicated.

Case Caption:

The section above the title of every document is called the case caption. The case caption on this document should match the case caption on the Petition. The first document filed in the case is the Petition.

- b. Fill out the UCCJEA Affidavit completely and sign.
- c. Fill out the proposed Parenting Plan completely and sign.
- d. Make 3 copies of the completed Motion to Establish Parenting Time, the

UCCJEA Affidavit and the proposed Parenting Plan. Attach copies of the UCCJEA Affidavit and proposed Parenting Plan to the Motion to Establish Parenting Time. (Make 4 copies if the other party has an attorney. Additional copies may be necessary if the court has appointed guardian ad litem for the child(ren).)

Some courts require extra copies. Check with the clerk of the court to find out if more copies are required.

2. Notice of Hearing

- a. Fill out the Notice of Hearing **except for the hearing place, date and time.**
- b. Make 3 copies of the completed Notice of Hearing. (Make 4 copies if the other party has an attorney. Additional copies may be necessary if the court has appointed a guardian ad litem for the child(ren).)

Some courts require extra copies. Check with the clerk of the court to find out if more copies are required.

3. Filing your Motion and Obtaining a Hearing Date

- a. Go to the Clerk of the District Court office to file your motion. Bring originals and all copies with you.
- b. Give the clerk the original and all copies of the Motion to Establish Parenting Time and attachments. The clerk will file-stamp the original and all copies. The clerk will keep the original for the court file and give you back the other copies.
- c. Ask the clerk for a hearing date and time and enter that information on the original Notice of Hearing and all copies. Give the original and all copies of the Notice of Hearing to the clerk for filing. The clerk will keep the original Notice of Hearing for the court file and give you back all the file-stamped copies.

4. Serving the Other Party - Request and Service Instruction Form

You **must** provide the other party, the other party's attorney, and each guardian ad litem appointed for the child(ren), if any, with a copy of the filed Motion to Establish Parenting Time and attachments and the Notice of Hearing. You may obtain this service by **one** of the following methods:

- i. *Service by U.S. Mail* - You may mail the documents, postage prepaid, to the last known address of the other party, the other party's attorney, and each guardian ad litem appointed

for the child(ren), if any. If you choose this method, fill out the Certificate of Service and Mailing at the bottom of the Notice of Hearing form.

ii. ***Service by Certified Mail (Preferred method)*** - You may send copies of the documents to the other party, the other party's attorney, and each guardian ad litem appointed for the child(ren), if any, by certified mail. If you choose this method, fill out the Certificate of Service and Mailing at the bottom of the Notice of Hearing form. You must also complete a Return of Service for Certified Mail Form and file it with the Clerk of the District Court after the "green card" is returned to you and before the hearing date.

iii. ***Service by Sheriff via Certified Mail*** - You may request that the documents be mailed, certified mail, by your local Sheriff's office. There will be a fee for this service.

iv. ***Personal Service by Sheriff – Inside Kansas*** – If the other party lives in Kansas, you may request that the documents be delivered by the Sheriff of the county in which the other party resides. There will be a fee for this service.

v. ***Personal Service by Sheriff's Office - Outside Kansas***. If the other party lives outside Kansas, you may request the Sheriff's department where the other party lives deliver the documents to the other party. You will be responsible for finding out the costs involved and completing the appropriate paperwork as required by that Sheriff's department.

vi. ***Service by 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.

Once you have determined the method with which you want to serve the documents on the other party, the other party's attorney, and each guardian ad litem appointed for the child(ren), if any, complete the Request and Service Instruction Form and provide it to the clerk along with the appropriate number of copies of the Motion to Establish Parenting Time and the Notice of Hearing (one of each for the other party and one of each for the other party's attorney, and one for each guardian ad litem, if any).

Service by Certified Mail:

If you choose service by certified mail, you must mail a copy of the Motion to Establish Parenting Time and attached UCCJEA Affidavit and proposed Parenting Plan and the Notice of Hearing by certified mail to both the other party and the other party's attorney, if any. Do this on the same day that you file the Notice of Hearing with the Clerk of the District Court. Failure to mail the copies and provide proof of service will result in your motion being dismissed. **(Do not forget to complete instruction #5 if you choose service by certified mail.)**

a. Keep one copy of the Motion to Establish Parenting Time and attachments and one copy of the Notice of Hearing for yourself.

b. Mail one copy of the Motion to Establish Parenting Time and attachments and one copy of the Notice of Hearing to the other party/ex-spouse **by certified mail**.

c. Mail one copy of the Motion to Establish Parenting Time and attachments and one copy of the Notice of Hearing to the other party's attorney of record, if any, **by certified mail**.

5. Filing the Return of Service for Certified Mail

After you mail your Motion to Establish Parenting Time and attachments and Notice of Hearing **by certified mail** to the required parties, you will have to wait for the Return of Service ("green card") to be returned to you by the post office. Once you receive the green card(s), follow the steps below to prove to the court you served your motion properly.

- a. Fill out the Return of Service for Certified Mail.
- b. Attach the green card(s) to the middle of the page where indicated.
- c. Make one copy for your file.
- d. Bring the original Return of Service for Certified Mail to the Clerk of the District Court office.
- e. Hand the document to the clerk for filing. The clerk will keep the document so that it can be placed in your court file as proof that you completed all the steps necessary to properly file your Motion to Establish Parenting Time.

PLEASE REMEMBER!! It is up to you to get the correct papers filed and proper service completed in order for a hearing to be held at its assigned hearing date and time.

INSTRUCCIONES PARA LA PETICION PRO SE PARA ESTABLECER EL TIEMPO DE CRIANZA

******* Lea estas instrucciones en su totalidad antes de comenzar! *******

La siguiente información se proporciona para ayudarlo a obtener una audiencia para establecer el tiempo de crianza en su caso. No se puede llevar a cabo una audiencia hasta que se haya presentado su petición y se hayan completado todos los pasos.

Se debe pagar el costo por solicitar su petición. Consulte con la secretaria para averiguar el costo de presentación.

Al buscar establecer el tiempo de crianza, se deben completar las siguientes formas, presentarlos ante el tribunal y **proporcionar una copia a la otra parte**. Complete las formas con máquina de escribir o imprima de manera legible con tinta negra o azul. Puede descargar las formas en formato Microsoft Word o volver a crear las formas en una computadora o procesador de textos.

Complete:

1. Petición para establecer el tiempo de crianza
2. Declaración jurada de la Ley Uniforme de Jurisdicción y Cumplimiento de la Custodia de Hijos (UCCJEA)
3. Plan de Crianza Propuesto
4. Notificación de Audiencia
5. Forma de Solicitud e Instrucción de Servicio (uno para cada parte a la que debe notificar)
6. Devolución del Servicio por Correo Certificado (Si completa e; servicio por Correo Certificado)

Siga los pasos a continuación en el orden indicado. Marque cada uno de ellos medida que lo complete para presentar correctamente su petición ante el tribunal.

1. Petición para Establecer el Tiempo Compartido

- a. Complete la Petición para Establecer el Tiempo Compartido por completo. Asegúrese de firmar su nombre donde se indica.

Título del Caso:

La sección sobre el título de cada documento se llama título del caso. El título del caso en este documento debe coincidir con el título del caso en la Petición. El primer documento presentado en el caso es la Petición.

- b. Complete la Declaración Jurada de UCCJEA por completo y firme.
- c. Complete el Plan de Crianza propuesto por completo y firmelo.
- d. Haga 3 copias de la Petición completa para establecer el tiempo de crianza, la

Declaración jurada de UCCJEA y el plan de crianza propuesto. Adjunte copias de la Declaración jurada de UCCJEA y el plan de crianza propuesto a la Petición para establecer el tiempo de crianza. (Haga 4 copias si la otra parte tiene un abogado. Es posible que se necesiten copias adicionales si el tribunal ha designado un tutor ad litem para los niños).

Algunos tribunales requieren copias adicionales. Consulte con la secretaria de la corte para averiguar si se requieren más copias.

2. Notificación de Audiencia

- a. Complete la Notificación de Audiencia **excepto el lugar, la fecha y la hora de la audiencia.**
- b. Haga 3 copias de la Notificación de audiencia completo. (Haga 4 copias si la otra parte tiene un abogado. Es posible que se necesiten copias adicionales si el tribunal ha designado un tutor ad litem para los niños).

Algunos tribunales requieren copias adicionales. Consulte con la secretaria de la corte para averiguar si se requieren más copias.

3. Presentando su Petición y Obteniendo una Fecha para la Audiencia

- a. Vaya a la oficina del secretario del Tribunal de Distrito para presentar su petición. Traiga los originales y todas las copias.
- b. Entregue a la secretaria el original y todas las copias de la Petición para Establecer el Tiempo de Crianza. La secretaria sellará el original y todas las copias. La secretaria se quedará con el original para el expediente judicial y le devolverá las otras copias.
- c. Pídale a la secretaria la fecha y hora de la audiencia e ingrese esa información en la Notificación de Audiencia original y en todas las copias. Entregue el original y todas las copias de la Notificación de Audiencia a la secretaria para que lo presente. La secretaria conservará la Notificación de Audiencia original para el archivo de la corte y le devolverá todas las copias selladas del archivo.

4. Notificación a la otra parte - Forma de Solicitud e Instrucción de Servicio

Debe proporcionar a la otra parte y al abogado de la otra parte, y cada tutor ad litem designado para el (los) niño (s), si corresponde, con una copia de la Petición presentada para establecer el tiempo de crianza y los anexos y la Notificación de Audiencia. Puede obtener este servicio mediante **uno** de los siguientes métodos:

i. *Servicio por correo postal de los EE. UU.* - Puede enviar los documentos, con franqueo prepago, a la última dirección conocida de la otra persona y de su abogado, y cada tutor ad litem designado para el

niño (s), si lo hay. Si elige este método, complete el Certificado de notificación y envíe por correo que se encuentra en la parte inferior de la forma de Notificación de Audiencia.

ii. ***Servicio por Correo Certificado (método Preferido)***- Puede enviar copias de los documentos a la otra parte y al abogado de la otra parte, y cada tutor ad litem designado para el (los) niño (s), si corresponde, por correo certificado. Si elige este método, complete el Certificado de notificación y envíe por correo que se encuentra en la parte inferior de la forma de Petición y Notificación de audiencia. También debe completar una forma de devolución de notificación por correo certificado y presentarlo ante la secretaria del tribunal de distrito después de que se le devuelva la “tarjeta verde” y antes de la fecha de la audiencia.

iii. ***Servicio por parte del alguacil por correo certificado*** – Puede solicitar que la oficina del alguacil local le envíe los documentos por correo certificado. Habrá un costo por este servicio.

iv. ***Servicio Personal por parte del Alguacil – Dentro de Kansas*** – Si la otra parte vive en Kansas, puede solicitar que los documentos sean entregados por el alguacil del condado en el que reside la otra parte. Habrá una tarifa por este servicio.

v. ***Servicio Personal por parte del Alguacil – Fuera de Kansas*** – Si la otra parte vive fuera de Kansas, puede solicitar al departamento del alguacil donde vive la otra parte que le entregue los documentos. Usted será responsable de averiguar los costos involucrados y completar el papeleo correspondiente según lo requiera el departamento de ese alguacil

Una vez que haya determinado el método con el que desea entregar los documentos a la otra parte y al abogado de la otra parte, si lo hubiera, y a cada tutor ad litem designado para el (los) niño (s), si corresponde, complete la forma de solicitud e instrucción de servicio y entréguelo a la secretaria junto con el número apropiado de copias de la Petición para establecer el tiempo de crianza y la Notificación de audiencia (uno de cada uno para la otra parte, el abogado de la otra parte y una para cada tutor ad litem, si corresponde).

Servicio por Correo Certificado:

Si elige el servicio por correo certificado, debe enviar por correo una copia de la Petición para Establecer el Tiempo Crianza y la Declaración jurada de UCCJEA adjunta y el plan de crianza propuesto y la Notificación de audiencia por correo certificado a la otra parte y al abogado de la otra parte si corresponde. Haga esto el mismo día en que presente la Notificación de audiencia ante la secretaria del Tribunal de Distrito. Si no envía las copias por correo y no proporciona prueba de entrega, su petición será desestimada. **(No olvide completar la instrucción #5 si elige el servicio por correo certificado).**

- a. Conserve una copia de la Petición para establecer el tiempo de crianza y los anexos y una copia de la Notificación de audiencia para usted.
- b. Envíe por correo una de la Petición para establecer el tiempo de crianza y los anexos y una copia de la Notificación de audiencia a la otra parte/excónyuge **por correo certificado.**

- c. Envié por correo una copia de la Petición para establecer el tiempo de crianza y los anexos y una copia de la Notificación de audiencia al abogado de registro de la otra parte, si corresponde, por correo certificado.

5. Filing the Return of Service for Certified Mail

Después de enviar por correo su Petición para establecer el tiempo de crianza y los anexos y la notificación de audiencia **por correo certificado** a las partes requeridas, tendrá que esperar la devolución de Servicio (“tarjeta verde”) que se le devolverá en la oficina de correos. Una vez que reciba la (s) tarjeta(s) de residencia, siga los pasos a continuación para demostrarle a la corte que entrego su petición correctamente.

- a. Complete la Devolución de servicio por correo certificado.
- b. Adjunte la(s) tarjeta (s) verde (s) en el medio de la página donde se indica.
- c. Haga una copia para sus archivos.
- d. Lleve la devolución de notificación original por correo certificado a la oficina de la secretaria del tribunal de distrito.
- e. Entregue el documento a la secretaria para que lo archive. La secretaria se quedará con el documento para que se pueda colocar en su expediente judicial como prueba de que completo todos los pasos necesarios para presentar correctamente su Petición para establecer el tiempo de crianza.

::ATENCIÓN - RECUERDE!! Depende de usted presentar los documentos correctos y completar el servicio adecuado para que la audiencia se lleve a cabo en la fecha y hora asignadas.

IN THE DISTRICT COURT OF WYANDOTTE COUNTY, KANSAS
CIVIL COURT DEPARTMENT

ORDERS CONCERNING ZOOM PROCEEDINGS

NOW ON THIS 15th day of June, 2023 the Court enters orders concerning the conduct of Zoom proceedings in Division 10 of the 29th Judicial District. The Court orders as follows:

1. It is the responsibility of each self-represented litigant to ensure that their Zoom link is correct. It is the responsibility of each self-represented litigant to ensure that their device is properly working for the purpose of the hearing. The Court strongly suggests that the parties familiarize themselves with the Zoom platform before the Court hearing.
2. Once a hearing date is set, the parties must file witness and exhibit lists seven days before the hearing. These exhibits must be in digital format and pdf documents are preferred. These documents should be sent to Tina.Rockey@kscourts.org. Paper documents are not to be taken to the clerk's office or left in division 10.
3. Once a hearing date has been set, discovery will close 14 days before the hearing.
4. All litigants must follow the Kansas Rules of Civil Procedure in presenting evidence. If a party cannot present evidence in accordance with the rules of civil procedure, the court will not admit the proffered evidence into the record.

5. Self-represented litigants are considered lawyers in accordance with Kansas case law and the rules of the Kansas Supreme Court. The Court cannot take into account that a self-represented litigant is not law trained.

6. After the hearing, it is the responsibility of the self-represented litigant to prepare a proper journal entry and take the same to the Clerk's office. The Clerk will then forward the document to the Court for review and signature.

IT IS SO ORDERED

**Kathlee
n Lynch**

Digitally signed by Kathleen Lynch
DN: cn=Kathleen Lynch,
o=Wyandotte County District Court,
ou=Division 10,
email=Kathleen.Lynch@kscourts.org
, c=US
Date: 2023.06.20 09:45:29 -05'00'

IN THE DISTRICT COURT OF WYANDOTTE COUNTY, KANSAS
CIVIL DEPARTMENT

Petitioner

Case No. _____

and

Respondent

MOTION TO ESTABLISH PARENTING TIME

I, _____ (your name) move the Court to establish parenting time and in support of this motion state:

1. The current order, filed on _____ (date) does not grant _____ (insert parent's name) parenting time.
2. A completed UCCJEA affidavit is attached.
3. The Court should grant parenting time as requested in the attached Parenting Plan.
4. To the best of my knowledge, the name, current address and telephone number of the other parent is:

(If you do not know the current address and telephone number, leave this blank.)

5. The other parent is is not on active duty with the United States Military. Unknown.

I ask the Court to grant this motion for parenting time as requested.

VERIFICATION

I verify under penalty of perjury under the laws of the state of Kansas that the foregoing is true and correct. Executed on _____, 20__.

X _____
Signature
Name (Print): _____
Address: _____
City, ST, Zip: _____
Telephone: _____

CERTIFICATE OF SERVICE AND MAILING

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

(Name and address of other parent)
and

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

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

X _____
Signature
Name (Print): _____

(Attach UCCJEA Affidavit and Proposed Parenting Plan)

IN THE DISTRICT COURT OF WYANDOTTE COUNTY, KANSAS
CIVIL DEPARTMENT

Petitioner

Case No. _____

and

Respondent

**UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA)
AFFIDAVIT
(K.S.A. 23-37,101 *et seq.*)**

I, _____ (*full legal name*), certify that the following statements are true:

1. The names and dates of birth of the children now under eighteen years of age and subject to this proceeding are:

- a. _____ (child's name), was born in _____ (month) _____ (year).
- b. _____ (child's name), was born in _____ (month) _____ (year).
- c. _____ (child's name), was born in _____ (month) _____ (year).
- d. _____ (child's name), was born in _____ (month) _____ (year).

2. The child(ren) now live with: _____ (name of adult)

at _____ (Street address),

_____ (city), _____ (state) and have lived at this place since

_____ (date). (*Add additional pages if more space is needed.*)

3. The child(ren) lived at the following addresses with the custodian(s) listed during the past five years:

From Date	Until Date	City, State	Name and Relationship of Custodian(s) Living with Child, and Custodian(s) Present Address

4. I have have not been involved in a court case involving the custody or visitation of the child(ren). The following court cases are on file about the child(ren):

Type of Case	Court, City and State	Case Number	Last Order Date

5. I have do not have information concerning ANY OTHER proceeding that could affect the current proceeding including but not limited to proceedings for enforcement and proceedings relating to domestic violence, protective orders, termination of parental rights, and adoption. The following court cases are on file and could affect the current proceedings:

Type of Case	Court, City and State	Case Number	Last Order Date

6. The following named persons not a party to this proceeding have physical custody or claim to have custody or visitation rights with respect to any child subject to this proceeding: None

Name	Address, City and State	Check the box that applies
		<input type="checkbox"/> Has Physical Custody <input type="checkbox"/> Claims Custody Rights <input type="checkbox"/> Claims Visitation Rights
		<input type="checkbox"/> Has Physical Custody <input type="checkbox"/> Claims Custody Rights <input type="checkbox"/> Claims Visitation Rights
		<input type="checkbox"/> Has Physical Custody <input type="checkbox"/> Claims Custody Rights <input type="checkbox"/> Claims Visitation Rights
		<input type="checkbox"/> Has Physical Custody <input type="checkbox"/> Claims Custody Rights <input type="checkbox"/> Claims Visitation Rights
		<input type="checkbox"/> Has Physical Custody <input type="checkbox"/> Claims Custody Rights <input type="checkbox"/> Claims Visitation Rights

7. I acknowledge that I have a continuing duty to inform the court of proceeding(s) in this or any other state that could affect the current proceeding.

I certify under penalty of perjury under the laws of the state of Kansas that the foregoing is true and correct. Executed on _____, 20__.

X _____
 Signature
 Name (Print): _____

(Make as many copies of this page as necessary.)

THE FOLLOWING INFORMATION IS TRUE:

(Child's Full Legal Name) _____, lived at the following address(es) with the adult(s) listed during the past five years:

From Date	Until Date	City, State	Name and Relationship of Adult(s) Living with Child, and Adult(s) Present Address

THE FOLLOWING INFORMATION IS TRUE:

(Child's Full Legal Name) _____, lived at the following address(es) with the adult(s) listed during the past five years:

From Date	Until Date	City, State	Name and Relationship of Adult(s) Living with Child, and Adult(s) Present Address

IN THE DISTRICT COURT OF WYANDOTTE COUNTY, KANSAS

In the Matter of the Marriage of

(First Name) (Middle Name) (Last Name) (Jr./Sr./III)
(Write your full legal name above)

and

Case Number _____

(First Name) (Middle Name) (Last Name) (Jr./Sr./III)
(Write your spouse's full legal name above)

PARENTING PLAN

1. This Parenting Plan is temporary permanent. (Check one of the two boxes)

2. This Parenting Plan is: (check one of the three boxes)

Proposed by _____.
(Print your name)

Agreed to by both parties.

Developed by the Court.

Section 1. General Information

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

Parent A is _____, and
(Write the name of one parent.)

Parent B is _____.
(Write the name of the other parent.)

Parent A is _____ Parent B is _____

1.2 This parenting plan applies to the following children: *(Fill out the chart.)*

Child's Initials	Year of Birth

Section 2. Legal Custody (Decision-Making)

2.1 *(Check either box A or B, NOT both. If box B is checked, fill out the boxes and blanks in B.1. and B.2. as needed.)*

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.

OR

B. Sole Legal Custody. Joint legal custody is not in the child(ren)'s best interests.

"Sole legal custody" means that the parent given sole legal custody has the primary right to decide matters of health and education in the child(ren)'s best interests.

The parent not given sole legal custody may make emergency decisions affecting the child(ren)'s health or safety when the child(ren) is in that parent's physical care and control. Even if one parent has sole legal custody the other parent can still access information regarding the child(ren) unless the court specifically orders a restriction in B.2. below and states the reasons for that determination.

Parent A is _____ **Parent B is** _____

B.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:

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

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

Parent A is _____ Parent B is _____

Section 3. Parenting Time Schedule. (Physical Custody)

3.1 Parent A Parenting Time

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:

3.2 Parent B Parenting Time

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

Parent B's Weekday Schedule:

Parent A is _____ Parent B is _____

Parent B's Weekend Schedule:

Parent B's Other Times:

3.3 Holiday & Special Occasion Parenting Schedule

(Check either box A or B, not both.)

- A.** The holiday schedule as set out in the _____ (name county) Family Law Guidelines controls holiday parenting time. The holiday schedule will take priority over the regular weekday and weekend schedule. A copy of the holiday schedule from the _____ (name county) are attached. If a particular holiday is not included in the guidelines, then the regular schedule controls.

(Print and attach a copy of the holiday schedule to this Parenting Plan. Do not complete the Holiday Parenting Schedule chart below.)

OR

- B.** The holiday schedule is as follows:
The holiday schedule will take priority over the regular weekday and weekend schedule. If a particular holiday is not specified below, then the regular schedule controls.

(If you selected Option B, fill in the chart. You may want to look at your child(ren)'s school calendar to check for other holidays or school breaks to include in the "other" sections below.)

Parent A is _____

Parent B is _____

<u>HOLIDAY PARENTING SCHEDULE</u>	<u>Parent A</u>	<u>Parent B</u>
New Year's Day (January 1): From _____ (day) at _____ (time) until _____ (day) at _____ (time)	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year
Martin Luther King, Jr. Day (3rd Monday of January): From _____ (day) at _____ (time) until _____ (day) at _____ (time)	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year
President's Day (3rd Monday in February): From _____ (day) at _____ (time) until _____ (day) at _____ (time)	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year
Spring Break: From _____ (day) at _____ (time) until _____ (day) at _____ (time)	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year
Spring Break: From _____ (day) at _____ (time) until _____ (day) at _____ (time)	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year
Memorial Day/Weekend (last Monday in May): From _____ (day) at _____ (time) until _____ (day) at _____ (time)	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year
Mother's Day/Weekend (2nd Sunday in May): From _____ (day) at _____ (time) until _____ (day) at _____ (time)	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year
Father's Day/Weekend (3rd Sunday in June): From _____ (day) at _____ (time) until _____ (day) at _____ (time)	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year
Independence Day (July 4): From _____ (day) at _____ (time) until _____ (day) at _____ (time)	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year

Parent A is _____ Parent B is _____

<u>HOLIDAY PARENTING SCHEDULE</u>	<u>Parent A</u>	<u>Parent B</u>
Labor Day/Weekend (1st Monday in September): From _____ (day) at _____ (time) until _____ (day) at _____ (time)	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year
Halloween (October 31): From _____ (day) at _____ (time) until _____ (day) at _____ (time)	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year
Thanksgiving Day/Weekend (4th Thursday in November): From _____ (day) at _____ (time) until _____ (day) at _____ (time)	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year
Winter Break: From _____ (day) at _____ (time) until _____ (day) at _____ (time)	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year
Winter Break: From _____ (day) at _____ (time) until _____ (day) at _____ (time)	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year
Parent A's Birthday: From _____ (day) at _____ (time) until _____ (day) at _____ (time)	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year
Parent B's Birthday: From _____ (day) at _____ (time) until _____ (day) at _____ (time)	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year
Child's Birthday: Child's name _____ From _____ (day) at _____ (time) until _____ (day) at _____ (time)	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year
Child's Birthday: Child's name _____ From _____ (day) at _____ (time) until _____ (day) at _____ (time)	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year

Parent A is _____ Parent B is _____

<u>HOLIDAY PARENTING SCHEDULE</u>	<u>Parent A</u>	<u>Parent B</u>
Other: _____ From _____ (day) at _____ (time) until _____ (day) at _____ (time)	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year
Other: _____ From _____ (day) at _____ (time) until _____ (day) at _____ (time)	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year
Other: _____ From _____ (day) at _____ (time) until _____ (day) at _____ (time)	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year
Other: _____ From _____ (day) at _____ (time) until _____ (day) at _____ (time)	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year
Other: _____ From _____ (day) at _____ (time) until _____ (day) at _____ (time)	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year
Other: _____ From _____ (day) at _____ (time) until _____ (day) at _____ (time)	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year	<input type="checkbox"/> Even years <input type="checkbox"/> Odd years <input type="checkbox"/> Every year

Parent A is _____ Parent B is _____

3.4 Vacation Schedule (Check all boxes that apply.)

- No specific weeks will be set aside for vacations.
- Each parent may designate _____ (number) of week(s) each year during which they will have exclusive parenting time of the child(ren) and the regular schedules do not apply. However, during this period, the Holiday Schedule still applies. Parent A will have first choice of weeks in odd-numbered years. Parent B will have first choice of weeks in even-numbered years. The parent with the first choice of weeks must designate the vacation weeks by March 31st of each year. The parent with the second choice of weeks must designate the weeks by April 15 of each year.
- Other:

3.5 Child(ren) Exchange

If a specific location for an exchange is not stated in the parenting time schedule above, then the exchange will happen at the following location: (Check the box that applies.)

- All exchanges will happen at the child(ren)'s school or childcare provider when school or childcare is in session. If, or when, school or childcare is not in session, all exchanges will happen at the locations as follows:

- All exchanges will happen at the residence of Parent A or Parent B.
- Exchanges will happen as set out below:

Parent A is _____ Parent B is _____

3.6 Transportation Costs for Parenting Time *(Check the boxes that apply.)*

- Each parent will pay the expenses associated with his or her own transportation to and from the exchange location unless otherwise indicated in this parenting plan.
- Transportation costs shall be split equally between both parents.
- Transportation costs shall be split proportionally as shown on Line D.2 of the current child support worksheet.
- All transportation costs shall be paid by Parent A or Parent B.
- Other:

3.7 Communication Between Parents

All communication regarding the child(ren) shall be between the parents. The parents shall not use the child(ren) as a messenger to convey information, ask questions, or set up schedule changes.

Parents shall communicate with each other: *(Check all boxes that apply.)*

- in person
- by telephone
- by text
- by email
- other: _____

3.8 Changes to the Parenting Time Schedule

The plan may be changed by mutual, written agreement of the parents. Both parents understand that any permanent changes must be approved by the court to be binding and enforceable.

Parent A is _____ Parent B is _____

Section 4. Dispute Resolution Process

4.1 Disputes between the parents, other than about child support, shall be submitted to:
(Check one of the two boxes)

Mediation by:

(name of mediator)

The following dispute resolution method:

Section 5. Military Deployment, Mobilization, or Unaccompanied Tour

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

- A. A parent receiving deployment, mobilization, temporary duty or unaccompanied tour orders from the military shall be considered a “deployed parent.”
- B. 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.
- C. 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.”
- D. The nondeploying parent shall give the court and deployed parent at least 30 days advance written notice of any change of address or telephone number.
- E. The nondeploying parent shall reasonably accommodate the deployed parent's leave schedule.

Parent A is _____ **Parent B is** _____

- F. The nondeploying parent shall assist with telephone and electronic communication between the child(ren) and the deployed parent.
- G. The deployed parent shall give the nondeployed parent timely information about the deployed parent's anticipated deployment, leave during deployment, and release from deployment.
- H. During deployment, mobilization, temporary duty, or unaccompanied tour, the parents shall make decisions about the child(ren) by the following methods:
- I. 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(ren) when available:

Section 6. Address Change

- 6.1** Each parent shall tell the other parent of any address change in writing at least 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.
- 6.2** Each parent shall tell 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.
- 6.3** 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

Parent A is _____ **Parent B is** _____

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 7. Other Requirements

7.1 Other requirements for this parenting plan:

Section 8. Signatures: Required if agreed upon by the parties.

Parent A

Signature:

Name:

Address:

Phone Number:

Email:

Date Signed:

Attorney's Signature (if any):

Attorney's Name (if any):

Parent B

Signature:

Name:

Address:

Phone Number:

Email:

Date Signed:

Attorney's Signature (if any):

Attorney's Name (if any):

IN THE DISTRICT COURT OF WYANDOTTE COUNTY, KANSAS

In the Matter of the Marriage of

(First Name) (Middle Name) (Last Name) (Jr./Sr./III)
(Enter your full legal name above)

and

Case Number _____
(Will be assigned when case is filed)

(First Name) (Middle Name) (Last Name) (Jr./Sr./III)
(Enter your spouse's legal name above)

REQUEST AND SERVICE INSTRUCTION FORM

You must give "legal notice" to your spouse that you have filed a Petition for Divorce. Your Petition for Divorce must be filed and stamped with the date it was received by the Clerk of the District Court. Your spouse must get copies of this file-stamped Petition for Divorce and Summons through one of the ways listed below.

Select **ONE** of the five boxes to show how you want to give "legal notice" to your spouse.

Personal Service by Sheriff:

Check options a or b if you want the sheriff to give the paperwork to your spouse.

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

Option b: If your spouse lives in a state other than Kansas, fill out the Summons form. You have to find out the procedures required by the sheriff in that state and county and to pay any fees required.

- a. *Personal Service inside Kansas* – Service through the office of the Sheriff of _____ County, State of Kansas, other than by Service by Return Receipt. The clerk of the court will give your documents to the sheriff.

- b. *Personal Service outside Kansas* – Out of state service by service through the Sheriff of _____ County, State of _____ (your spouse's location) by other than Service by Return Receipt. The clerk of the court will give your documents to the sheriff.

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

(Name of Sheriff's Office)

(Street)

(City)

(State)

(Zip Code)

Sheriff's office phone number:

(Telephone Number with Area Code)

Service by Return Receipt:

Check options c or d if you want the file-stamped paperwork mailed to your spouse.

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

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

- c. *Service by Return Receipt inside or outside Kansas* – Return Receipt service by the Petitioner. You are responsible for sending the documents to your spouse using return receipt delivery, which can be by certified mail, priority mail, commercial courier service, overnight delivery service or other reliable personal delivery service to the party addressed. The written or electronic receipt must show who the documents were delivered to, the date of delivery, the address where delivered, and the person or entity completing delivery. Complete the Return of Service by Return Receipt form, attach the written or electronic receipt, and file it with the Clerk of the District Court's office. You must file the Return of Service by Return Receipt form before service is complete.

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

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

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

(Name of Sheriff's Office)

(Street)

(City)

(State)

(Zip Code)

Sheriff's office phone number:

(Telephone Number with Area Code)

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

No Service Required

Check option e if your spouse will complete a Voluntary Entry of Appearance or you are going to ask the court to allow service by publication.

Voluntary Entry of Appearance:

Give your spouse a copy of the completed Petition for Divorce and Domestic Relations Affidavit. After getting the copies of those forms, your spouse can fill out a Voluntary Entry of Appearance form. Your spouse must sign this form in front of a notary public. The completed Voluntary Entry of Appearance with your spouse's original signature must then be filed with the Clerk of the District Court.

Publication:

If you cannot provide notice of the divorce to your spouse through sheriff's service, service by return receipt, or voluntary entry of appearance, then you may be able to provide notice of the divorce by publishing notice in a local newspaper. To get "publication service," you must ask for permission from the judge by filing the Affidavit for Service by Publication form. If the judge says you can use publication service, the judge will sign the Order Allowing Service by Publication. After you get the signed Order Allowing Service by Publication, you must 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.

- 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 _____
(Sign above) (Print your name above.)

Your address:

(Street)

(City) (State) (Zip Code)

(Telephone Number with Area Code) (Email Address)

IN THE DISTRICT COURT OF WYANDOTTE COUNTY, KANSAS

In the Matter of

(First Name) (Middle Name) (Last Name) (Jr/Sr/III)

and

Case Number _____

(First Name) (Middle Name) (Last Name) (Jr/Sr/III)

NOTICE OF HEARING

Information about the Hearing

1. The hearing will be held at the Wyandotte County Courthouse, Division_____/via Zoom.
2. The date of the hearing is: _____
(mm/dd/yyyy)
3. The time of the hearing is: _____ a.m. p.m.

Person Giving Notice

X _____
(Sign your name) (Print your name)

(Street)

(City) (State) (Zip Code)

(Telephone Number with Area Code) (Email Address)

CERTIFICATE OF SERVICE AND MAILING

You must send (serve) a copy of this *Notice of Hearing* to each of the other parties, or their attorney(s). To obtain service, you may deliver the document by hand, by sending it by first class U.S. mail, or by sending it through a delivery service that provides a written or electronic receipt showing who the documents were delivered to, the date of delivery, the address where delivered, and the person or entity completing deliver. For example, these services may be offered by the United States Postal Service, FedEx, or UPS.

I certified, that on _____ I sent/gave a copy of this *Notice of Hearing* to
(date)
each of the following parties at the following address:

Name	Address

X _____
(Sign your name) _____
(Print your name)