

*****HELP CENTER STAFF CANNOT HELP YOU FILL OUT THE DOCUMENTS*****

- **FILE BEFORE 4:00PM**
- **AVOID THE LUNCH HOUR 12:00PM – 1:30PM**
- **\$196.50 FILING FEE -WE ACCEPT CASH, CHECK, MONEY ORDER, AND CREDIT/DEBIT CARD (\$4.95 FEE W/ CARD)**

CHECKLIST FOR DIVORCE WITH CHILDREN

- ☐ **COVER SHEET -IDENTIFIES THE PARTIES OF CASE**
- ☐ **PETITION FOR DIVORCE – *STARTS CASE -NEEDS NOTARIZED***
- ☐ **DOMESTIC RELATIONS AFFIDAVIT – *NOT DIVIDING ANYTHING -not completing this may delay your hearing***
- ☐ **PROPOSED PARENTING PLAN – *CUSTODY/PARENTING TIME, MUST BE SIGNED***
- ☐ **CHILD SUPPORT WORKSHEET – *PLEASE SEE OPTIONS TO ASSIST YOU IN FILLING OUT THIS FORM.***
- ☐ **VOLUNTARY ENTRY OF APPEARANCE – *THIS MAY BE SIGNED BY OTHER PARTY TO WAIVE SERVICE -NEEDS NOTARIZED***
- ☐ **REQUEST AND SERVICE INSTRUCTION FORM – *COMPLETE WITH ADDRESS & HOW YOU'RE SERVING OTHER PARTY (ignore if Voluntary Entry of appearance is being filed)***

TO BE COMPLETED FOR THE FINAL HEARING DATE

(WE WILL PROVIDE YOU W/ THIS PAPERWORK THE DAY YOU FILE)

- ☐ **ORDER TO ATTEND PARENTS FOREVER - REQUIRED PARENTING CLASS THROUGH JOHNSON COUNTY -do not take on-line classes without confirmation they are accepted**
- ☐ **NOTICE OF HEARING – YOU WILL RECEIVE AFTER FILING, DATE AT LEAST 60 DAYS OUT FROM THE DATE YOU FILE**
- ☐ **RETURN OF SERVICE – PROOF THE OTHER PARTY RECEIVED COPIES OF DOCUMENTS**
- ☐ **DECREE OF DIVORCE - FINALIZES DIVORCE -needed in Microsoft Word Format**
- ☐ **VITAL STAT FORM- Certificate of Divorce**
- ☐ **AGREED PARENTING PLAN - FINALIZES PARENTING PLAN-needed in Microsoft Word Format**

HELP CENTER – *CONTACT THE HELP CENTER AND WE CAN VERIFY YOU HAVE ALL THE FORMS YOU NEED FOR YOUR FINAL HEARING*





STATE OF KANSAS
TENTH JUDICIAL DISTRICT
JOHNSON COUNTY COURTHOUSE
OLATHE, KANSAS 66061

INSTRUCTIONS FOR FILING YOUR DIVORCE WITH CHILDREN:

Filing: At the time of filing you must pay the filing fee of \$196.50. A divorce with minor children requires both parents to attend a 2 hour COURT ORDERED class, PARENTS FOREVER at a cost of \$75 each. You will not have to pay for the class the day of filing. There may be additional fees depending on circumstance and situation. Using a credit/debit card may also cost additional fees. Cash, Cashier Check, Money Order and Personal Check are accepted.

- A. To start a divorce case you must complete and file the following documents:
 1. Civil Cover Sheet – a general information form for the Clerk's office.
 2. Petition for Divorce – the main pleading asking for a divorce.
 3. Domestic Relations Affidavit (DRA) – a sworn affidavit of your income, expenses, assets and debts.
 4. Proposed Parenting Plan – custody, parenting time, exchanges.
 5. Request and Service Instruction Form- how you will be notifying the other party of your filing.
- B. After preparing and printing the above forms, sign the Petition for Divorce 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. The Clerk may notarize your documents. Remember DO NOT sign anything until it can be witnessed.
- C. File your ORIGINAL documents with the Self-Help Center Clerks.

- Order for Parents Forever: Will be issued at the time of filing by the clerk. If you or the other party doesn't attend the class, there is a chance that your divorce will not be granted until you do so. Instructions will be provide in the order.
- Child Support Worksheet: You must prepare a Child Support Worksheet. PREPARE IN OFFICE or For assistance with this: Kansas Child Support Guidelines which walks you through line by line starting in section IV. "Specific Instructions for the Worksheet", as well as refer to the appendices at the end of the document. <https://www.kscourts.org/KSCourts/media/KsCourts/Child%20Support%20Guidelines/KSCSG-2020withoutmarkup.pdf> If you are unable to complete it by hand you can use the following links to use an Online tool instead:
<https://childdiscoverytools.com/for-parents> (fee charged)
 KLS Worksheet for less than \$50K <https://lawhelpinteractive.org/Interview/GenerateInterview/2098/engine> (no fee)
 Bradley Software: <https://www.bradleysoftware.com/free-trial>
 (program used by the courts offer free trial)

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.

<https://www.kscourts.org/KSCourts/media/KsCourts/Child%20Support%20Guidelines/KSCSG-2020withoutmarkup.pdf>

- Notice of Hearing: Upon filing your documents with the clerk, you will be instructed on how to obtain a hearing date. By statute there is a waiting period to attend your hearing of 60 days.

CIVIL COVER SHEET

The civil cover sheet neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Clerk of the District Court for the purposes of initiating the civil docket sheet. This information will not be available to the public and this document will be stored in a separate location from the case file and then destroyed within a reasonable time. A new case **will not be accepted** without a cover sheet attached. (THIS FORM MUST BE TYPED OR PRINTED LEGIBLY). This form can be found at www.kscourts.org.

NATURE OF SUIT (Mark only one - If the case involves more than one of the following categories, indicate the category having the highest dollar value.)

CIVIL If a CH. 61: \$_____ (Judgment Demand Amount)

<u>TORT</u> Asbestos Product Liability Automobile Tort Intentional Tort Legal Malpractice Medical Malpractice Other Professional Malpractice Premises Liability Slander/Libel/Defamation Tobacco Product Liability Toxic/Other Product Liability Other Tort	<u>CONTRACT</u> Buyer Plaintiff Employment Dispute - Discrimination Employment Dispute - Other Fraud Landlord/Tenant - Unlawful Detainer Landlord/Tenant Dispute - Other Seller Plaintiff (debt collection) Other Contract <u>CIVIL APPEALS</u> Administrative Agency Other Civil Appeal	<u>REAL PROPERTY</u> Eminent Domain Mortgage Foreclosure Other Real Property <u>MISCELLANEOUS</u> 60-1507 Habeas Corpus Other Writs <u>OTHER CIVIL</u> <u>SMALL CLAIMS</u>	<u>STATE TAX WARRANT</u>
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DOMESTIC

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

PROBATE/ESTATE

<u>GUARDIAN/CONSERVATOR</u> Conservatorship/Trusteeship Guardianship - Adult Guardianship - Minor Guardian/Conservator - Adult Guardian/Conservator - Minor	<u>DETERMINATION OF DESCENT</u> <u>SEXUALLY VIOLENT PREDATOR</u> <u>DECEDENT ESTATE</u>	<u>ELDER ABUSE</u> <u>OTHER PROBATE/ESTATE</u> <u>CARE AND TREATMENT</u>	<u>ADOPTION</u>
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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 NumberALIAS 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 NumberALIAS 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.

IN THE DISTRICT COURT OF JOHNSON COUNTY, KANSAS

In the Matter of the Marriage of

And

Case No.
Court No.

PETITION FOR DIVORCE WITH CHILDREN

The person filing this petition is the _____, and states:

1. I am now living at: _____, and I have lived there since _____.
2. My spouse is now living at: _____, and has lived there since _____.
3. We were married on _____ in _____, and have been married since that date.
4. We are incompatible and should receive a divorce.
5. The court should divide our property and debt as we agree or as the court may decide.
6. I _____ request spousal support.
7. I _____ be restored to the following former name:
_____.
8. My spouse _____ now on active duty with the United States Military.
9. Wife _____ pregnant, when this Petition is filed.
10. Husband and Wife have _____ children together who are under the 18 years of age.
11. The names and dates of birth of those children are:
 - a. _____, was born in _____.
 - b. _____, was born in _____.
 - c. _____, was born in _____.
 - d. _____, was born in _____.
12. The child(ren) now live most of the time with _____ at _____, _____, Kansas and have lived at this place since _____.

13. The child(ren) lived at the following addresses with the persons named in section 12 during the past five years:

From Date	Until Date	City and State	Name, relationship to children and current address of the person the children lived with

14. If there are no are no other court cases anywhere concerning the children check this box. ☐

15. If there are other court cases anywhere concerning the children check this box ☐ and complete the following. The following court cases are on file about the child(ren):

- a. _____, _____, _____. The last order in the case was entered on _____.
- b. _____, _____, _____. The last order in the case was entered on _____.
- c. _____, _____, _____. The last order in the case was entered on _____.

16. The Court should approve an appropriate parenting plan and child support order.

I request a divorce, a division of property and debt between Husband and Wife, an appropriate parenting plan for the child(ren), support orders, and other appropriate orders.

Name: _____
Address: _____
City, State, Zip: _____
Telephone Number: _____
Email Address: _____

VERIFICATION

STATE OF KANSAS)
) ss.
COUNTY OF JOHNSON)

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

Filing Party

SUBSCRIBED AND SWORN to before me, a Notary Public, on _____

Notary Public

Property and Debts

- If you have any property and/or any debts, don't forget to say who is getting which property item and who is going to pay which debt.
- Forgetting to list something might cause confusion later.
- It doesn't matter if it is in one or both persons' name.
- List **ALL** major property. Things to list might include:
 - Houses
 - Cars, trucks, motorcycles, and boats
 - Anything with a title
 - Bank accounts
 - Retirement accounts (401k, IRA, KPERS, etc.)
 - Anything worth more than \$500
 - You don't need to list furniture if it is already divided
- List **ALL** debts either you or your spouse owe to anyone.
 - Credit cards
 - Car/truck/motorcycle/boat loans
 - Mortgages
 - Personal loans
 - Consolidation loans
 - Student loans
 - Unpaid taxes
- It's important to remember that the people you owe are not required to honor your agreement.

Domestic Relations Affidavit

IN THE _____ JUDICIAL DISTRICT
_____ COUNTY, KANSAS

IN THE MATTER OF

Petitioner

and

Respondent

Case No. _____

DOMESTIC RELATIONS AFFIDAVIT OF _____
(name)

1. Petitioner Residence _____

Petitioner	XXX-XX-____	
Birth Month/Year	Social Security Number	Telephone

2. Respondent Residence _____

Respondent	<u>Birth Month/Year</u>	XXX-XX-____ Social Security Number	<u>Telephone</u>
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3. Date of Marriage:_____

4.	Number of Marriages:	Petitioner	Respondent
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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. Petitioner is employed by (name) _____

(address) _____

Respondent is employed by (name) _____

(address) _____

with monthly income as follows:

A.	Wage Earner	Petitioner	Respondent
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	Petitioner	Respondent
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: _____
Petitioner Respondent

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		
	Petitioner	\$ _____	_____
	Respondent	\$ _____	_____
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.)

A.	Item	Petitioner (Actual or Estimated)	Respondent (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.	Child care (work-related)	\$ _____	\$ _____

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

	Item	<u>Petitioner</u> (Actual or Estimated)	<u>Respondent</u> (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	
					Petitioner	Respondent
_____	_____	_____	_____	\$ _____	\$ _____	\$ _____
_____	_____	_____	_____	\$ _____	\$ _____	\$ _____
_____	_____	_____	_____	\$ _____	\$ _____	\$ _____
_____	_____	_____	_____	\$ _____	\$ _____	\$ _____
_____	_____	_____	_____	\$ _____	\$ _____	\$ _____
_____	_____	_____	_____	\$ _____	\$ _____	\$ _____
			Subtotal of Payments		\$ _____	\$ _____
			Total		\$ _____	\$ _____

C. Total Living Expenses

	<u>Petitioner</u> (Actual or Estimated)	<u>Respondent</u> (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	Petitioner	Respondent
_____ (+/-)	\$ _____	\$ _____
_____ (+/-)	\$ _____	\$ _____

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.

<u>Health Insurance</u>	<u>COBRA Continuation</u>		
	Yes	No	Unknown

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 JOHNSON COUNTY, KANSAS

In the Matter of:

and

Case No. _____

Division _____

Chapter _____

PROPOSED PARENTING PLAN

_____ proposes the following Parenting Plan for the minor child(ren).

Section I. General Information

This parenting plan applies to the following children:

<u>Full Name of Child</u>	<u>Gender</u>	<u>Birth Date (Mo/Yr) and Age</u>
_____	M F	_____
_____	M F	_____
_____	M F	_____
_____	M F	_____
_____	M F	_____
_____	M F	_____

Section II. Legal Custody (Decision-Making)

☐ A. **Joint Legal Custody.** Mother and Father 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 the major life decisions concerning the child(ren) including matters of health and education. Neither parent’s rights are superior to the other parent’s rights, and they should cooperate to determine what is in their child(ren)’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, including school and medical records, regarding the child(ren) unless the court specifically orders otherwise.

1. Sole legal custody is granted to ☐ Mother ☐ Father by Agreement of the parents.

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

The ☐ Mother ☐ Father shall have no access to the child(ren)'s health, educational and other personal information because of the following specific reasons:

Section III. Parenting Time Schedule.

This parenting schedule shall begin on:

The children will be with Mother (select one):

☐ at all times not with Father

☐ at the following times (describe the time the children usually spend with Mother stating the day and time each period of parenting tie begins and ends in the normal week):the days and times
Mother and Father will share time with the children on the following schedule:

The children will be with Father (select one):

☐ at all times not with Mother

☐ at the following times (describe the time the children usually spend with Father stating the day and time each period of parenting tie begins and ends in the normal week):the days and times
Mother and Father will share time with the children on the following schedule:

Holiday Parenting Schedule:

- ☐ Per attached schedule
- ☐ According to parents' regular parenting time schedule
- ☐ Other (specify holidays and times):

☐ Parenting time/exchange restrictions (specifically list restriction, i.e. supervision, location, parties, etc.):

Section IV. Dispute Resolution Process

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

- ☐ Mediation by: ☐ Johnson County Court Services ☐ Other:
- ☐ The following dispute resolution method:

Section V. Other Provisions

Additional provisions which the proposing party asks the court to include:

Parenting Plan Proposed By:

Signature: _____

Name: _____

Address: _____

City, State, ZIP: _____

Telephone: _____

Email: _____

Date Signed: _____

Holiday Parenting Plan:

(A) Spring Break. Select One.

☐ The child will be with each parent during one-half of the Spring Break. The parent normally having the child during the first weekend of Spring Break shall have the child the first half of Spring Break.

☐ The parents will alternate the weeks of Spring Break with Mother in even-numbered years and with Father in odd-numbered years;

(B) Mother's Day. The child shall spend Mother's Day from 9:00 a.m. until 8:00 p.m. or until school, day care or 8:00 a.m. Monday (if the child is not in school or day care) with the child's mother;

(C) Memorial Day. The child shall spend the Memorial Day weekend from Friday immediately after school, after daycare or 5:00 p.m. until Monday at 8:00 p.m. or until school, day care or 8:00 a.m. Tuesday (if the child is not in school or day care) with Mother in even numbered years and with Father during in odd-numbered years;

(D) Father's Day. The child shall spend Father's Day from 9:00 a.m. until 8:00 p.m. or until school, day care or 8:00 a.m. Monday (if the child is not in school or day care) with the child's father;

(E) Fourth of July. The child shall spend the Fourth of July holiday from after school, after daycare or 5:00 p.m. on July 3 until 8:00 p.m. on July 5 with Mother in even-numbered years and with Father in odd-numbered years;

(F) Labor Day. The child shall spend Labor Day weekend from Friday immediately after school, after daycare or 5:00 p.m. until Monday at 8:00 p.m. or until school, day care or 8:00 a.m. Tuesday (if the child is not in school or day care) with Father in even-numbered years and with Mother in odd-numbered years;

- (G) **Halloween.** Every effort should be made to share time between the parents every year. In the event the parents cannot agree, the child shall spend a minimum of three hours on Halloween evening with Mother during even-numbered years and with Father during odd numbered years;
- (H) **Thanksgiving.** Select One:
- ☐ From after school, after daycare or 5:00 p.m. until Friday evening at 5:00 p.m. with Father during even-numbered years and with Mother during odd-numbered years; The parent that does not have the holiday shall always have the weekend following Thanksgiving Day;
- ☐ From after school, day care or 5:00 p.m. the day school is dismissed until 8:00 p.m. Sunday or until school, day care or 8:00 a.m. Monday (if the child is not in school or day care);
- (I) **Winter Break.** The child shall spend from after school, after daycare or 5:00 p.m. on the day that school is dismissed for vacation until 10:00 p.m. on December 24 with Father during even-numbered years and with Mother during odd-numbered years. The child shall spend from 10:00 p.m. on December 24 until 8:00 p.m. on December 30 with Mother during even-numbered years and with Father during odd-numbered years;
- (J) **New Year's Eve and New Year's Day.** The child shall spend from December 30 at 8:00 p.m. until 8:00 p.m. on the evening before school resumes or until the beginning of school, day care or 8:00 a.m. on the day school commences with Father during even-numbered years and with Mother during odd-numbered years;
- (K) **Religious Holidays.** Select one or none depending upon the appropriate circumstances for the family:
- ☐ **Christian Religious Holidays:**
- (I) **Easter Sunday.** The child shall spend Easter Sunday (from Saturday night at 5:00 p.m. until Sunday at 8:00 p.m. or until school, day care or 8:00 a.m. Monday

(if the child is not in school or day care)) with Father during even numbered years and with Mother during odd-numbered years.

(ii) **Christmas**. The Christmas Eve and Christmas Day schedule is reflected in the Winter Break schedule set forth above.

□ **Jewish Religious Holidays**. The following holiday schedule may be followed for families of Jewish faith. Unless otherwise stated the holiday should be considered to begin the evening before the holiday and end the evening of the holiday:

(I) **Purim**. The child shall spend Purim with Mother during even-numbered years and with Father during odd-numbered years.

(ii) **Rosh Hashanah**. The child shall spend Rosh Hashanah with Father during even-numbered years and with Mother during odd-numbered years. The parents should agree upon the definition of the holiday as it may be observed as a single day or over two days depending upon the practices of the family.

(iii) **Yom Kippur**. The child shall spend Yom Kippur with Mother during even numbered years and with Father during odd-numbered years.

(iv) **Alternate Nights of Hanukkah**. The child shall spend alternate nights of Hanukkah beginning with the first night, with Father having the first night during even-numbered years and with Mother having the First Night during odd numbered years.

(v) **The First Night of Passover**. The child shall spend the first night of Passover with Father during odd-numbered years and with Mother during even numbered years. The holiday time shall end before the beginning of the second night.

(vi) **The Second Night of Passover**. The child shall spend the second night of Passover with Mother during odd-numbered years and with Father

during even numbered years. The holiday time shall end at the conclusion of the second day.

(vii) Simhat Torah. The child shall spend the first day(s) of Simhat Torah with Father during odd-numbered years and Mother during even-numbered years. The child shall spend the final day(s) of Simhat Torah with Mother during odd numbered years and Father during even-numbered years. The parents should agree upon the definition of the holiday as it may be observed as a single day or over two days depending upon the practices of the family.

(viii) Sukkot. The child shall spend the first day(s) of Sukkot with Father during even-numbered years and Mother during odd-numbered years. The child shall spend the final day(s) of Sukkot with Mother during even-numbered years and Father during odd-numbered years. The parents should agree upon the definition of the holiday as it may be observed as a single day or over two days depending upon the practices of the family.

(ix) Shavuot. The child shall spend the holiday with Father during odd numbered years and with Mother during even-numbered years. The parents should agree upon the definition of the holiday as it may be observed as a single day or over two days depending upon the practices of the family.

□ **Islamic Religious Holidays**. The following holiday schedule may be followed for families of Muslim faith:

(i) Eid al-Fitr. The child shall spend this holiday celebration with Mother during even-numbered years and Father during odd-numbered years.

(ii) Eid al-Hadr. The child shall spend this holiday celebration with Mother during odd-numbered years and Father during even-numbered years.

□ **Other Religious Holidays**. Religious holidays or celebrations other than those referenced above will be shared as follows:

(L) Parent's Birthday. The child should spend part of the day with the respective parent on that parent's birthday;

(M) Child's Birthday. The child shall spend the child's birthday with Father during even numbered years and with Mother during odd-numbered years. During such years, the child shall spend the day before or the day after the child's birthday with the other paren. If there is more than one child the parties shall alternate the children's birthdays so that each parent has one or more of the children each year;

(N) Conflict between Weekend and Holiday Parenting Time. Whenever there is a conflict between weekend and holiday parenting time, the holiday parenting time shall apply. The parents are encouraged to compensate for missed weekends so that a parent will not go more than two weekends without having weekend parenting time;

(O) Conflict between Holiday Parenting Time and Birthday Celebrations. When there is a conflict between birthday and holiday time, the holiday schedule shall apply. However, the parents should be flexible in allowing the birthday to be celebrated either the weekend before or the weekend after the holiday period.

Child Support Worksheet

IN THE _____ JUDICIAL DISTRICT
 _____ COUNTY, KANSAS

IN THE MATTER OF:

_____ and _____ CASE NO. _____

CHILD SUPPORT WORKSHEET OF (name) _____

		Petitioner	Respondent
A. <u>INCOME COMPUTATION – WAGE EARNER</u>			
1. Domestic Gross Income (Insert on Line C.1. below)*		\$ _____	\$ _____
B. <u>INCOME COMPUTATION – SELF-EMPLOYED</u>			
1. Self-Employment Gross Income		_____	_____
2. Reasonable Business Expenses	(-)	_____	_____
3. Domestic Gross Income (Insert on Line C.1. below)*		_____	_____
C. <u>ADJUSTMENTS TO DOMESTIC GROSS INCOME</u>			
1. Domestic Gross Income		_____	_____
2. Court-Ordered Child Support Paid	(-)	_____	_____
3. Court-Ordered Maintenance Paid _____%	(-)	_____	_____
4. Court-Ordered Maintenance Received _____%	(+)	_____	_____
5. Child Support Income (Insert on Line D.1. below)		_____	_____
D. <u>COMPUTATION OF CHILD SUPPORT</u>			
1. Child Support Income		_____	+ _____
		= _____	
2. Proportionate Shares of Combined Income (Each parent's income divided by combined income)		_____%	_____%
3. Gross Child Support Obligation** (Using the combined income from Line D.1., find the amount for each child and enter total for all children)			
Age of Children	0-5	6-11	12-18
Number Per Age Category	_____	_____	_____
Total Amount	_____	+ _____	+ _____
		=	_____
* Cost of Living Differential Adjustment? _____ Yes _____ No			
**Multiple Family Application? _____ Yes _____ No			
Parenting Time Adjustment _____ Yes _____ No _____%			
Income Beyond the Child Support Schedule calculation used _____ Yes _____ No			

Case No. _____

		Petitioner	Respondent
4.	Proportionate Share (Line D.3 x Line D.2)	_____	_____
5.	Parenting Time Adjustment _____ % x Line D.4 (-)	_____	_____
6.	Proportionate Shares after Parenting Time Adjustment	_____	_____
7.	Health and Dental Insurance Premium	\$ _____	+ \$ _____
8.	Proportionate Shares Health Insurance Premium	_____	_____
9.	Work-Related Child Care Costs Formula: Amt. – (Amt. x %) for each child care credit Example: 200 – (200 x 30%)	_____	_____
10.	Proportionate Shares Work-Related Child Care Costs	_____	_____
11.	Proportionate Child Support Obligation for Each Parent (Line D.6 + D.8 + D.10)	_____	_____
12.	Credit for Insurance or Work-Related Child Care Paid (-)	_____	_____
13.	Basic Parental Child Support Obligation ((Line 11-Line D.12); Insert on Line F.1. below)	_____	_____

E. CHILD SUPPORT ADJUSTMENTS

APPLICABLE	N/A	CATEGORY	Petitioner	Respondent
1. <input type="checkbox"/>	<input type="checkbox"/>	Long Distance Parenting Time Costs	(+/-) _____	(+/-) _____
2. <input type="checkbox"/>	<input type="checkbox"/>	Income Tax Considerations	(+/-) _____	(+/-) _____
3. <input type="checkbox"/>		Special Needs	(+/-) _____	(+/-) _____
4. <input type="checkbox"/>	<input type="checkbox"/>	Agreement Past Majority	(+/-) _____	(+/-) _____
5. <input type="checkbox"/>	<input type="checkbox"/>	Overall Financial Condition	(+/-) _____	(+/-) _____
6.		TOTAL (Insert on Line F.2. below)	_____	_____

F. DEVIATION(S) FROM REBUTTABLE PRESUMPTION AMOUNT

AMOUNT ALLOWED

		<u>Petitioner</u>	<u>Respondent</u>
1.	Basic Parental Child Support Obligation (Line D.13. from above)	_____	_____
2.	Total Child Support Adjustments (Line E.6. from above)	(+/-) _____	_____
3.	Adjusted Subtotal (Line F.1. +/- Line F.2.)	_____	_____
4.	Equal Parenting Time Obligation (<input type="checkbox"/> EPT Worksheet or <input type="checkbox"/> Shared Expense Formula)	_____	_____
5. a	Ability to Pay Calculation Child Support Income (D.1) _____ - Poverty Guidelines for Household of One _____ = _____		
5. b.	Subtotal (lesser amount of F.3 and F.5.a)	_____	_____
6.	Social Security Dependent Benefits	(-) _____	(-) _____
6. b.	Final Subtotal	_____	_____
7.	Enforcement Fee Allowance** (Applied only to Nonresidential Parent) ((Line F.3. x Collection Fee %) x .5) or (Monthly Flat Fee x .5)	Percentage _____ % Flat Fee \$ _____ (+) _____	(+) _____
8.	Net Parental Child Support Obligation (Line 5.b. + Line F.4.)	_____	_____

**Parent paying support.

Prepared By (Signature)

Judge/Hearing Officer Signature

Prepared By (Print Name)

Date Submitted

Date Approved

IN THE DISTRICT COURT OF JOHNSON COUNTY, KANSAS

In the Matter of

Case No.

And

Court No.

VOLUNTARY ENTRY OF APPEARANCE

I received a copy of the petition/motion filed in this case. I am not requiring that the sheriff or other person hand me the summons and petition/motion as Kansas law may require. I understand that if I do not file an answer or appear at the hearing in this case that the court can enter orders against me.

Further, I acknowledge and so advise the court that I ☐ **am** ☐ **am not** a member of the active duty United States _____ and by signing this voluntary entry of appearance I am waiving my rights for the purpose of the captioned case, under the Service Members Civil Relief Act (SCRA) pursuant to 50 U.S.C. App. paragraphs 501-597b.

Name:

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

IN THE DISTRICT COURT OF _____ COUNTY, KANSAS

In the Matter 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 opposing party legal name above)

REQUEST AND SERVICE INSTRUCTION FORM

You must give "legal notice" to opposing party that you have filed a Petition for. Your Petition must be filed and stamped with the date it was received by the Clerk of the District Court. The other party must get copies of this file-stamped Petition and Summons through one of the ways listed below. You will need one of these forms per opposing party.

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

Personal Service by Sheriff:

Check options a or b if you want the sheriff to give the paperwork to the other party.

Option a: If the other party lives in Kansas, you must pay a sheriff's service fee.

Option b: If the other party lives in a state other than Kansas, you have to find out the county and procedures required by the sheriff in that state and county and to pay any fees required.

LIST DOCUMENTS YOU WANT SERVED: SUMMONS, PETITION

NAME OF PERSON TO BE SERVED: _____

ADDRESS FOR SERVICE: _____

- 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 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 the other party, 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 the other party 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)

No Service Required

Check option e if the other party 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 the other party a copy of the completed Petition. After getting the copies of the petition the other party can fill out a Voluntary Entry of Appearance form. The other party must sign this form in front of a notary public. The completed Voluntary Entry of Appearance with the other party's original signature must then be filed with the Clerk of the District Court.

Publication: (not applicable for all situations)

If you cannot provide notice of the Petition to the other party through sheriff's service, service by return receipt, or voluntary entry of appearance, then you may be able to provide notice of the Petition 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.

- ☐ e. No service required, other party 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)