

Read directions completely.

## Pro Se Motion to Stay Issuance of Income Withholding Order

1. Fill out completely: Typed or printed legibly
  - a. Motion
  - b. Affidavit and Statement (must also be notarized)
  - c. Notice of hearing
  - d. Certification of mailing
2. File the original and copies of forms (motion and certificate of mailing with the Clerk of the District Court. You will need copies for yourself, the Court Trustee's Office and all other parties you are serving including attorneys of record.
3. Obtain hearing date and time from the clerk when filing your motion.

Clerk of the District Court will file stamp all copies and keep the originals.

8:00-5:00, Monday - Friday

Johnson County Courthouse, Attn: Self-Help Center

150 W Santa Fe Street, Olathe KS 66061

4. . Mail a copy of the documents to the other party: A copy of documents (a), (b), (c), (d) and (e) must be served on the other party prior to the hearing. A blank Domestic Relations Affidavit must also be mailed with the filed documents to the other party. The preferred method of service is to mail the documents to the opposing party at their last known address whether they reside in this state or another. Service must be completed at least five (5) days prior to hearing date (excluding weekends and holidays), so documents must be mailed no later than eight (8) days prior to the hearing.

### Service Methods:

1. Service by US Mail-Postage pre-paid, to opposing parties at last known address by the undersigned pro se litigant.
2. Certified mail service by the undersigned Pro Se Litigant - Return of service for Certified Mail Form, must be filed with the Clerk of the Court after green card is returned and before court date.
3. Hand Delivery – A) At the person's office with a clerk or other person in charge, or, if no one is in charge, in a conspicuous place in the office; or  
(B) if the person has no office or the office is closed, at the person's dwelling or usual place of abode with someone of suitable age and discretion who resides there.
4. Fax - sending it by tele facsimile communication, in which event service is complete upon receipt of a confirmation generated by the transmitting machine.

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

IN THE MATTER OF

Petitioner

and

Respondent

Case #

Division#

Chapter #

**MOTION TO STAY ISSUANCE OF INCOME WITHHOLDING ORDER**

I,  move to the Court to refrain from issuing and/or terminate an existing Income Withholding Order on one or more of the following grounds, per K.S.A. 23-4110A:

The amount of the order in the notice of intent is incorrect. I do not contest the amount of \$  .

The amount of arrears is incorrect.

The amount requested to be withheld is greater than the amount permitted by law.

I am not the person who owes the support.

For good cause shown as follows:

STATE OF KANSAS  
COUNTY OF JOHNSON

AFFIDAVIT AND STATEMENT

I,

of lawful age, being first duly sworn, state: I am the person listed in the case captioned above. I have read the foregoing Motion to Stay Issuance of Income Withholding Order and am familiar with its contents and all of the statements I have filled in or marked are true. I understand that the Court may issue an Income Withholding Order based on the uncontested amounts as long as I do not contest the fact that I am the Obligor. I also understand that if the Court determines that this motion was filed without good cause, the Court may impose sanctions. Further, I have served a copy of the foregoing Motion by hand or by depositing it in the United States mail, postage prepaid, on  to District Court Trustee, 150 W Santa Fe Street, Olathe, Kansas 66061.

\_\_\_\_\_  
Signed By

Subscribed to and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public

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

IN THE MATTER OF

Petitioner

Case #

and

Division#

Respondent

Chapter #

**Notice of Hearing**

Please take notice that the Motion to stay Issuance of the Income Withholding order has been set for hearing on the  day of  ,  at  in Room #\_\_\_\_\_, before the Hearing Officer, Johnson County Courthouse, Olathe, Kansas.

Signature: \_\_\_\_\_

**Certificate of Mailing**

I hereby certify that on the  day of  ,  , a copy of the Notice of Hearing and the Motion to Stay Issuance of Income Withholding Order was mailed, not less than 7 days prior to the above hearing date, to the following parties at the addresses shown:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

And to the District Court Trustee, 150 W Santa Fe Street, Olathe, Kansas 66061.

Signature: \_\_\_\_\_