

IN THE DISTRICT COURT OF JOHNSON COUNTY, KS
Small Claims Division

Plaintiff

vs.

Case No
Div. M -2, Room 2B

Defendant

REQUEST AND SERVICE INSTRUCTION FORM

To: Clerk of the District Court

MOTION AND

The Clerk of the Court will issue a **ORDER FOR CITATION** in the above entitles
action for _____

Whose address for service is:

Service is requested as indicated:

- Service through the office of the Sheriff of _____ County
State of _____ Other than by certified mail Returns may be
faxed to (913) 715-3401, 7 days a week, 24 hours a day.
- Service by an authorized Process Server.
- Certified mail service by undersigned litigant or attorney, who understand that their
responsibility to obtain service and to make the return to the Clerk. The postal receipt
for service must be filed with the Clerk's office to prove service.
- Certified mail service by the office of the Sheriff of Johnson County, State of Kansas.
The Sheriff of Johnson County does not do out-of-state service by certified mail.

Plaintiff/Defendant signature

Address

Telephone

Email

IN THE DISTRICT COURT OF JOHNSON COUNTY, KANSAS
Small Claims Division

Plaintiff(s)

vs.

Case No. _____, Room 2B

Defendant(s)

MOTION FOR CITATION

COMES NOW _____ judgment creditor, and moves the Court for an Order directing the Clerk to issue a citation directing _____ judgment debtor, to appear in the Court on a day certain and show cause why he/she should not be proceeded against and punished for contempt for the following reasons: **(you must select one)**

() 1. That _____ is judgment creditor in the above-entitled action. That on _____, 20____, upon application of the judgment creditor, the Court made an Order directing the judgment debtor, _____ to appear personally before the Court on _____ at _____ o'clock ____M. to answer concerning property of the judgment debtor. The judgment debtor was duly served with a copy of the said Order on _____, 20____.

() 1. That on _____, 20____, the judgment creditor caused the Judgment Debtor's Statement of Assets form together with a copy of the Journal Entry of Judgment to be mailed to the judgment debtor and the judgment creditor has filed proof of mailing with the Clerk of the District Court. At least fourteen (14) days had elapsed from the date of judgment to the time of mailing the Judgment Debtor's Statement of Assets to the judgment debtor and all or part of the judgment principal, interest, or costs remains due and owing. More than thirty (30) days have elapsed from the time of receipt of the Judgment Debtor's Statement of Assets form by the judgment debtor and a completed and verified copy thereof has not been received by the Clerk of the District Court from the judgment debtor.

2. That said order was not reversed, modified or set aside and was in effect at all times relevant herein. That notwithstanding the premises, the judgment debtor has wholly disregarded the said Order of the court, to-wit: That he/she has failed to appear before the Court at the time and date so directed or has failed to return the Judgment Debtor's Statement of Assets to the Clerk of the District Court pursuant to Order of the Court.

STATE OF KANSAS
COUNTY OF JOHNSON

Judgment Creditor

_____, of lawful age, being first duly sworn, upon oath, states: that he/she has read the above and foregoing Motion for Citation, is familiar with the contents of the same and the same are true.

Judgment Creditor

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

Notary Public

IN THE DISTRICT COURT OF JOHNSON COUNTY, KANSAS
Small Claims Division

_____, Plaintiff(s)

vs.

Case No. _____, Room 2B

_____, Defendant(s).

ORDER FOR CITATION TO ISSUE

NOW, on this ____ day of _____, 20____, this matter comes on to be heard upon the motion of the judgment creditor, duly verified, for an Order citing and commanding _____, judgment debtor, to appear before this court and show cause why she/he should not be proceeded against and punished for contempt; having failed and refused to obey the order and judgment of this Court, made and entered on _____, 20____, or having failed to return the completed and verified Judgment Debtor's Statement of Assets form to the Clerk of the District Court within the time allowed by law and order of this Court, and the Court being duly advised in the premises, finds that citation should issue.

IT IS THEREFORE ORDERED by the Court that Citation to show cause why the judgment debtor, _____, should not be accused, and placed on trial and punished for contempt of Court should issue.

Judge of the District Court

CITATION TO SHOW CAUSE

The State of Kansas to _____, judgment debtor:

It having been made to appear to the Court, from the verified motion of the judgment creditor filed herein, that you have failed to comply with the Order of this Court, made and entered on _____, 20____, wherein: the Court ordered that you personally appear before this Court on _____, 20____ at _____ o'clock ____ .M. to answer concerning your property; you failed to return a completed and verified Judgment Debtor's Statement of Assets form to the Clerk of the District Court within the time allowed by law and order of this Court.

YOU ARE THEREFORE COMMANDED TO BE AND APPEAR BEFORE THIS COURT on the ____ day of _____, 20____, at _____ o'clock ____ .M. of said day, in the Johnson County District Court, Olathe, Kansas, and show cause, if any you may have, why you should not be accused, and placed upon trial and punished for contempt of Court.

It is further Ordered that a copy of the Motion for Citation, Order for Citation and Citation be issued by the Clerk to the Sheriff of _____ County, Kansas, to be served personally upon said judgment debtor at least five (5) days before the time fixed by this Order for appearance.

Date: _____.

Judge of the District Court