

APPENDIX OF FORMS
INTRODUCTORY

The following forms are intended for illustration only, but they are expressly declared by K.S.A. 61-4105 to be sufficient.

PART A: PLEADINGS

Form No. 1: PETITION (RECOVERY OF MONEY)

File Stamp Date
Case Number _____

Prepared by:
Filer's name, SC#
Filer's address
Filer's phone number
{Filer's fax phone number}
{Filer's e-mail address}
Attorney for Plaintiff

In The District Court of _____ County, Kansas

Plaintiff's name Plaintiff

vs. Case No. _____

Defendant's name Defendant
Defendant's address
{Defendant's SSN/TIN}

Pursuant to Chapter 61 of
Kansas Statutes Annotated

PETITION
(recovery of money)

The plaintiff states the following claim(s):

1. The defendant(s) is indebted to the plaintiff in the amount of \$_____.

WHEREFORE, the plaintiff demands judgment against the defendant(s) for:

principal amount \$_____,
interest before judgment _____% per year from _____, _____,
interest after judgment _____% per year,
and costs.

Plaintiff or Plaintiff Attorney Signature
SC#

If applicable, include the following:

This is a communication from a debt collector. This is an attempt to collect a debt and any information obtained will be used for that purpose.

Form No. 2: PETITION (RECOVERY OF MONEY AND ATTORNEY FEES)

File Stamp Date _____
Case Number _____

Prepared by:
Filer's name, SC#
Filer's address
Filer's phone number
{Filer's fax phone number}
{Filer's e-mail address}
Attorney for Plaintiff

In The District Court of _____ County, Kansas

Plaintiff's name Plaintiff

vs. Case No. _____

Defendant's name Defendant
Defendant's address
{Defendant's SSN/TIN}

Pursuant to Chapter 61 of
Kansas Statutes Annotated

PETITION
(recovery of money & attorney fees)

The plaintiff states the following claim(s):

1. The defendant(s) is indebted to the plaintiff in the amount of \$_____.
2. The defendant(s) signed an agreement dated _____, _____ which allows for the recovery of attorney fees.

WHEREFORE, the plaintiff demands judgment against the defendant(s) for:

principal amount \$_____,
attorney fees \$_____,
interest before judgment _____% per year from _____, _____,
interest after judgment _____% per year,
and costs.

Plaintiff or Plaintiff Attorney Signature
SC#

If applicable, include the following:

This is a communication from a debt collector. This is an attempt to collect a debt and any information obtained will be used for that purpose.

Form No. 3: PETITION (TORT - ATTORNEY FEES)

File Stamp Date
Case Number _____

Prepared by:
Filer's name, SC#
Filer's address
Filer's phone number
{Filer's fax phone number}
{Filer's e-mail address}
Attorney for Plaintiff

In The District Court of _____ County, Kansas

Plaintiff's name Plaintiff

vs. Case No. _____

Defendant's name Defendant
Defendant's address
{Defendant's SSN/TIN}

Pursuant to Chapter 61 of
Kansas Statutes Annotated

PETITION
(tort - attorney fees)

The plaintiff states the following claim(s):

1. At all times material the plaintiff was the owner of the following described motor vehicle:
_____.
2. That on or about _____, _____ said motor vehicle was damaged due to the negligent and careless driving of the defendant in the amount of \$_____.
3. That demand has been made for payment of said damage but the defendant has failed, refused and neglected to pay the same.
4. That the plaintiff is entitled to an allowance of reasonable attorney fees in an amount of not less than \$_____ to be taxed as part of the costs of this lawsuit pursuant to K.S.A. 60-2006.

WHEREFORE, the plaintiff demands judgment against the defendant(s) for:

principal amount	\$_____,
attorney fees	\$_____,
interest after judgment and costs.	_____ % per year,

Plaintiff or Plaintiff Attorney Signature
SC#

If applicable, include the following:

This is a communication from a debt collector. This is an attempt to collect a debt and any information obtained will be used for that purpose.

Form No. 4: PETITION (TORT - NO ATTORNEY FEES)

File Stamp Date _____
Case Number _____

Prepared by:
Filer's name, SC#
Filer's address
Filer's phone number
{Filer's fax phone number}
{Filer's e-mail address}
Attorney for Plaintiff

In The District Court of _____ County, Kansas

Plaintiff's name Plaintiff

vs. Case No. _____

Defendant's name Defendant
Defendant's address
{Defendant's SSN/TIN}

Pursuant to Chapter 61 of
Kansas Statutes Annotated

PETITION
(tort - no attorney fees)

The plaintiff states the following claim(s):

1. At all times material the plaintiff was the owner of the following described motor vehicle:
_____.
2. That on or about _____, _____ said motor vehicle was damaged due to the negligent and careless driving of the defendant in the amount of \$_____.
3. That demand has been made for payment of said damage but the defendant has failed, refused and neglected to pay the same.

WHEREFORE, the plaintiff demands judgment against the defendant(s) for:

principal amount \$_____,
interest after judgment _____% per year,
and costs.

Plaintiff or Plaintiff Attorney Signature
SC#

If applicable, include the following:

This is a communication from a debt collector. This is an attempt to collect a debt and any information obtained will be used for that purpose.

Form No. 5: PETITION (SECURED CLAIM)

File Stamp Date _____
Case Number _____

Prepared by:
Filer's name, SC#
Filer's address
Filer's phone number
{Filer's fax phone number}
{Filer's e-mail address}
Attorney for Plaintiff

In The District Court of _____ County, Kansas

Plaintiff's name Plaintiff

vs. Case No. _____

Defendant's name Defendant
Defendant's address
{Defendant's SSN/TIN}

Pursuant to Chapter 61 of
Kansas Statutes Annotated

PETITION
(secured claim)

The plaintiff states the following claim(s):

1. The plaintiff(s) is the secured creditor of the defendant(s).
2. The defendant(s) is indebted to the plaintiff in the amount of \$_____ pursuant to an agreement dated _____, _____.
3. Pursuant to the agreement described above, the plaintiff has a security interest in the following property: _____.
4. The plaintiff is lawfully entitled to foreclosure of the specific property described above.
5. The estimated value of each item of personal property is \$_____.
6. The defendant(s) is no longer entitled to possess the property by reason of default under the agreement identified above.

WHEREFORE, the plaintiff(s) demands judgment against the defendant(s) for:

1. Judgment in the amount of:
 - (a) Principal amount \$_____.
 - (b) Attorneys fees \$_____.
 - (c) Interest before judgment _____% per year from _____, _____.
 - (d) Interest after judgment _____% per year.
 - (e) and costs.
2. Foreclosure of its security interest on the property _____.

3. That the court enter its judgment and decree herein determining that the plaintiff's security interest is a first and prior lien on said property and superior to all the claims, right, title and interest and liens of all other defendant(s), and that if the principal and interest due the plaintiff(s) is not paid within ten days of the judgment, that an order of sale be issued to the sheriff of this county commanding him to advertise and sell said property and apply the proceeds of the sale as follows:

- (a) To the payment of the costs of this action, including the costs of sale;
- (b) To the payment of all taxes found to be due on said property;
- (c) To the payment of the amount with interest found thereon to the plaintiff(s);
- (d) The balance, if any, to be paid to the clerk of the court to abide by further order of the court.

Plaintiff or Plaintiff Attorney Signature
SC#

If applicable, include the following:

This is a communication from a debt collector. This is an attempt to collect a debt and any information obtained will be used for that purpose.

Form No. 6: PETITION (REPLEVIN)

File Stamp Date _____
Case Number _____

Prepared by:
Filer's name, SC#
Filer's address
Filer's phone number
{Filer's fax phone number}
{Filer's e-mail address}
Attorney for Plaintiff

In The District Court of _____ County, Kansas

Plaintiff's name Plaintiff

vs. Case No. _____

Defendant's name Defendant
Defendant's address
{Defendant's SSN/TIN}

Pursuant to Chapter 61 of
Kansas Statutes Annotated

**PETITION
(Replevin)**

The plaintiff states the following claim(s):

1. The plaintiff(s) is the owner or the person lawfully entitled to possession of the following described property _____.
2. The plaintiff(s) is lawfully entitled to possession because _____.
3. The defendant(s) is indebted to the plaintiff in the amount of \$_____ pursuant to an agreement dated _____, _____.
4. The property is wrongfully detained by the defendant.
5. The estimated value of the property is \$_____.

WHEREFORE, the plaintiff(s) demands judgment against the defendant(s) as follows:

1. Return of the above described property to plaintiff, or
2. Judgment in the amount of \$_____.

Plaintiff or Plaintiff Attorney Signature
SC#

If applicable, include the following:

This is a communication from a debt collector. This is an attempt to collect a debt and any information obtained will be used for that purpose.

Note: If you are seeking replevin prior to judgment, you must make application for a court approved bond pursuant to K.S.A. ____.

Form No. 7: PETITION (WORTHLESS CHECK)

File Stamp Date _____
Case Number _____

Prepared by:
Filer's name, SC#
Filer's address
Filer's phone number
{Filer's fax phone number}
{Filer's e-mail address}
Attorney for Plaintiff

In The District Court of _____ County, Kansas

Plaintiff's name Plaintiff

vs. Case No. _____

Defendant's name Defendant
Defendant's address
{Defendant's SSN/TIN}

Pursuant to Chapter 61 of
Kansas Statutes Annotated

Service By: Certified Mail

PETITION
(worthless check)

The plaintiff states the following claim(s):

1. That the defendant(s) gave one or more worthless checks as defined by law.

2. That plaintiff is the holder of said check(s) and has made proper written demand upon defendant for payment as required by law pursuant to K.S.A. 60-2610. More than fourteen (14) days have passed thereafter without payment by the defendant(s).

3. That pursuant to K.S.A. 60-2610, plaintiff is entitled to judgment against the defendant(s) for the amount of the check(s) in the amount of \$_____, interest before judgment in the amount of \$_____, the incurred service charge in the amount of \$_____, the costs of restricted mail in the amount of \$_____, statutory damages in the amount of \$_____, and reasonable attorney fees in the amount of \$_____ and any additional attorney fees ordered by the court.

4. That defendant(s) may, prior to the commencement of a dispositional hearing by the Court, tender to plaintiff as satisfaction of the claim an amount of money equal to \$_____ which amount is equal to the sum of the amount of the check(s), the incurred court costs, service charge, costs of restricted mail and the costs of collection, including but not limited to reasonable attorney fees.

WHEREFORE, plaintiff demands judgment against the defendant(s) for:

Face amount of check(s)	\$ _____,
Service charge	\$ _____,
Restricted mail costs	\$ _____,
Statutory damages	\$ _____,
Attorney fees	\$ _____,
Interest before judgment	\$ _____,

for a total of \$ _____,

plus interest after judgment _____ % per year,
and court costs.

Plaintiff or Plaintiff Attorney Signature
SC#

If applicable, include the following:

This is a communication from a debt collector. This is an attempt to collect a debt and any information obtained will be used for that purpose.

Form No. 8: PETITION (EVICTION)

File Stamp Date _____
Case Number _____

Prepared by:
Filer's name, SC#
Filer's address
Filer's phone number
{Filer's fax phone number}
{Filer's e-mail address}
Attorney for Plaintiff

In The District Court of _____ County, Kansas

Plaintiff's name Plaintiff

vs. Case No. _____

Defendant's name Defendant
Defendant's address
{Defendant's SSN/TIN}

Pursuant to Chapter 61 of
Kansas Statutes Annotated

**PETITION
(eviction)**

The plaintiff states the following claim(s):

1. The plaintiff is the owner of or the agent of the owner of the following described premises:
_____.
2. The defendant(s) is in possession of the premises pursuant to a rental agreement dated _____, _____.
3. The defendant(s) has failed to pay rent due under the agreement described above.
4. The plaintiff gave the defendant(s) a notice to leave the premises described above dated _____, _____ as required by law.

WHEREFORE, the plaintiff demands judgment against the defendant(s) and all other occupants for:

restitution and possession of the premises,
writ of restitution,
and costs.

Plaintiff or Plaintiff Attorney Signature
SC#

Form No. 9: PETITION (EVICTON AND RENT)

File Stamp Date _____
Case Number _____

Prepared by:
Filer's name, SC#
Filer's address
Filer's phone number
{Filer's fax phone number}
{Filer's e-mail address}
Attorney for Plaintiff

In The District Court of _____ County, Kansas

Plaintiff's name Plaintiff

vs. Case No. _____

Defendant's name Defendant
Defendant's address
{Defendant's SSN/TIN}

Pursuant to Chapter 61 of
Kansas Statutes Annotated

PETITION
(eviction & rent)

The plaintiff states the following claim(s):

1. The plaintiff is the owner of or the agent of the owner of the following described premises:
_____.
2. The defendant(s) is in possession of the premises pursuant to a rental agreement dated _____, _____.
3. The defendant(s) has failed to pay rent due under the agreement described above and is indebted to the plaintiff for rent in the amount of \$_____.
4. The plaintiff gave the defendant(s) a notice to leave the premises described above dated _____, _____ as required by law.

WHEREFORE, the plaintiff demands judgment against the defendant(s) for:

rent amount \$_____,
interest before judgment _____% per year from _____,
interest after judgment _____% per year,
for costs,

and for judgment against the defendant(s) and all other occupants for:

restitution and possession of the premises,
and writ of restitution.

Plaintiff or Plaintiff Attorney Signature
SC#

If applicable, include the following:

This is a communication from a debt collector. This is an attempt to collect a debt and any information obtained will be used for that purpose.

Form No. 10: ANSWER

File Stamp Date
Case Number _____

Prepared by:
Filer's name, SC#
Filer's address
Filer's phone number
{Filer's fax phone number}
{Filer's e-mail address}
{Attorney for Defendant}

In The District Court of _____ County, Kansas

Plaintiff's name Plaintiff

vs. Case No. _____

Defendant's name Defendant
Defendant's address
{Defendant's SSN/TIN}

Pursuant to Chapter 61 of
Kansas Statutes Annotated

ANSWER

The defendant states the following:

1. I deny the claim of the plaintiff for the following reasons: _____

(FAILURE TO STATE YOUR DEFENSE MAY RESULT IN JUDGMENT BEING TAKEN
AGAINST YOU)

2. I claim the following affirmative defenses: _____

Defendant or Defendant Attorney Signature
SC#

NOTE: This form must be filed with the clerk of the district court on or before the date you have been given to appear and a copy sent to the plaintiff's attorney or to the plaintiff if he or she has no attorney.

CERTIFICATE OF SERVICE

I certify that on _____, _____, I mailed the foregoing answer to the [plaintiff's attorney] [plaintiff] at the following address:

Defendant or Defendant Attorney Signature

PART B: SUMMONS AND RETURNS

Form No. 11: SUMMONS AND RETURN

In The District Court of _____ County, Kansas

Plaintiff's name Plaintiff

vs. Case No. _____

Defendant's name Defendant

Defendant's address
{Defendant's SSN/TIN}

Pursuant to Chapter 61 of
Kansas Statutes Annotated

Type of Service Requested: _____ by _____

SUMMONS

To the above-named defendant(s):

You are hereby notified that a lawsuit commenced against you will be on this court's docket at _____ o'clock _____ M., on the _____ day of _____, _____, to be held at the following location: _____.

If you do not appear before this court or file an answer at such time, judgment by default will be taken against you for the relief demanded in the petition.

If you intend to appear at such time and dispute the petition, you must file an answer with the clerk of this court within 10 days thereafter.

If you are not represented by an attorney, the answer shall be signed by you under penalty of perjury. The answer shall state the following:

- (1) what the dispute is;
- (2) any affirmative defenses you have to the claim;
- (3) any claim you have against the plaintiff which arises out of the transaction or occurrence which is the subject of the plaintiff's claim; and
- (4) your (or your attorney's) current address, phone number, {fax phone number, and e-mail address}.

You must also promptly send a copy of your answer to the plaintiff's attorney or the plaintiff, if the plaintiff has no attorney.

To the sheriff or process server:

This summons must be served and your return of service made promptly; in any event, your return is due no later than _____, _____.

Dated: _____ _____ Clerk's signature

(Name and address of plaintiff or plaintiff's attorney)

Reasonable accommodations will be provided in accordance with the Americans with Disabilities Act.

RETURN ON SERVICE OF SUMMONS

I hereby certify that I have served this summons in the following manner:

(1) Personal Service. By delivering a copy of such summons and petition to each of the following defendants on the dates indicated:

_____, _____,
_____, _____

(2) Residence Service. By leaving a copy of such summons and petition at the usual place of residence of each of the following defendants with some person of suitable age and discretion residing therein on the dates indicated:

_____, _____, _____,
_____, _____, _____
(Name) (Address) (Date)

(3) Agent Service. By delivering a copy of such summons and petition to each of the following agents authorized by appointment or by law to receive service of process on the dates indicated:

_____, _____,
_____, _____
(Name) (Date)

(4) Residence Service and Mailing. By leaving a copy of such summons and petition at the usual place of residence of each of the following defendants and mailing by first-class mail on the dates indicated a notice that such copy has been so left:

_____, _____, _____,
_____, _____, _____
(Name) (Address) (Date)

(5) Service by Return Receipt Delivery. By causing to be delivered on the _____ day of _____, _____, a copy of the summons and petition by return receipt delivery to each of the following defendants at the following address: _____

with such delivery made by the following person or entity: _____.
Attached hereto is a copy of the return receipt evidencing such delivery.

(6) Return Receipt Delivery Refused. By mailing on the _____ day of _____, _____, a copy of the summons and petition by first-class mail, postage prepaid, addressed to the following at the following address: _____

(7) No Service. The following defendants were not served:

Pursuant to K.S.A. 53-601, as amended, I declare under the penalty of perjury that the foregoing is true and correct.

EXECUTED on _____, _____.

Signature & Title of Officer or
Process Server

Form No. 12: APPLICATION AND ORDER APPOINTING SPECIAL PROCESS SERVER

In The District Court of _____ County, Kansas

IN THE MATTER OF
THE APPOINTMENT OF

AS SPECIAL PROCESS SERVER

APPLICATION AND ORDER APPOINTING SPECIAL PROCESS SERVER

On this _____ day of _____, _____, upon the oral application of the undersigned attorney, _____ is hereby appointed and authorized to serve as a Special Process Server to serve process in all cases pursuant to K.S.A. Chapters 59, 60 and 61 for a period ending _____, _____.

Signature, Judge or Clerk

Approved:

Attorney signature
SC#

PART C: ATTACHMENT AND GARNISHMENT

Form No. 13: REQUEST FOR GARNISHMENT (NONEARNINGS)

File Stamp Date
Case Number _____

Prepared by:
Filer's name, SC#
Filer's address
Filer's phone number
{Filer's fax phone number}
{Filer's e-mail address}
Attorney for Judgment Creditor

In The District Court of _____ County, Kansas

Judgment Creditor name Judgment Creditor

Pursuant to Chapter 61 of
Kansas Statutes Annotated

Type of Service Requested: _____ by _____

REQUEST FOR GARNISHMENT
(To Attach Other Than Earnings)

The judgment creditor requests that the court issue an Order of Garnishment (To Attach Other Than Earnings) for the judgment debtors listed below in the amount of the judgment(s) shown below.

<u>Case No</u>	<u>Judgment Debtor Name, Address and SSN/TIN</u>	<u>Garnishee's Name and Address</u>	<u>Judg Amount *</u>	<u>Amount to be Withheld (110%)</u>
98-12345	John Doe 123 Cherry Lane Cherry, KS 00000 000-00-0001	ABC, Inc. 100 Main St. Cherry, KS 00000	\$ _____	\$ _____
98-12345	Jane Doe 123 Cherry Lane Cherry, KS 00000 000-000-0002	XYZ, Inc. 500 Main St. Cherry, KS 00000	\$ _____	\$ _____
97-54321	Bob Smith 123 Easy St. Somewhere, KS 00001 000-00-0003	Betty's Diner 300 Elm St. Somewhere, KS 00001	\$ _____	\$ _____

* The judgment amount is the current balance due and may also include costs, fees, interest and any other items included in the judgment.

If this Garnishment is to attach funds, credits or indebtedness held by a bank, savings and loan association, credit union or finance company, the amount to be withheld is indicated above, which is 110% of the amount of judgment creditor's claim, in the case of prejudgment garnishment, or 110% of the amount of the current balance due under the judgment, in the case of postjudgment garnishment.

I hold a good faith belief that the party to be served with this garnishment order has, or will have, assets of the judgment debtor(s).

Dated: _____, _____.

Judgment Creditor or Attorney Signature
SC#

If applicable, include the following:

This is a communication from a debt collector. This is an attempt to collect a debt and any information obtained will be used for that purpose.

Note: If this form is filed on paper, you must submit copies in a number equal to the number of requests for garnishment.

Form No. 14: ORDER OF GARNISHMENT (NONEARNINGS)

File Stamp Date _____
Case Number _____

Prepared by:
Filer's name, SC#
Filer's address
Filer's phone number
{Filer's fax phone number}
{Filer's e-mail address}
Attorney for Judgment Creditor

In The District Court of _____ County, Kansas

Judgment Creditor name Judgment Creditor

vs.

Case No. _____

Judgment Debtor name Judgment Debtor
Judgment Debtor address
{Judgment Debtor SSN/TIN}

Garnishee name Garnishee
Garnishee's address
Garnishee's county
{Garnishee's fax phone number (if known)}
{Garnishee's e-mail address (if known)}

Pursuant to Chapter 61 of
Kansas Statutes Annotated

Type of Service Requested: _____ by _____

**ORDER OF GARNISHMENT
(To Attach Other Than Earnings)**

To the above named Garnishee:

The attached Instructions to Garnishee are incorporated by reference. You are ordered as a garnishee to follow the attached instructions as if they were set forth in this Order.

If you are indebted to the judgment debtor, complete the attached Answer under penalty of perjury as set forth in the instructions.

If you are a bank, savings and loan association, credit union or finance company, and are holding any funds, credits or indebtedness belonging to or owing the judgment debtor, the amount to be withheld by you pursuant to this order is not to exceed \$_____.

If you fail to complete and send your answer as required in the instructions, the judgment creditor may file a motion for judgment against you for the amount of judgment against the judgment debtor or such other amount as the court shall order, including the expenses and attorney fees of the judgment creditor.

Dated this _____ day of _____, _____.

BY ORDER OF THE COURT

If applicable, include the following:

This is a communication from a debt collector. This is an attempt to collect a debt and any information obtained will be used for that purpose.

RETURN ON SERVICE OF GARNISHMENT ORDER

I hereby certify that I have served this garnishment order in the following manner:

(1) Personal Service. By delivering a copy of the garnishment order along with two copies of the answer form to each of the following persons on the dates indicated:

_____, _____,
_____, _____
(Name) (Date)

(2) Agent Service. By delivering a copy of the garnishment order along with two copies of the answer form to each of the following agents authorized by appointment or by law to receive service of process on the dates indicated:

_____, _____,
_____, _____
(Name) (Date)

(3) Service by Return Receipt Delivery. By causing to be delivered on the _____ day of _____, _____, a copy of the garnishment order along with two copies of the answer form by return receipt delivery to each of the following persons at the following address: _____

with such delivery made by the following person or entity: _____.
Attached hereto is a copy of the return receipt evidencing such delivery.

(4) Return Receipt Delivery Refused. By mailing on the _____ day of _____, _____, a copy of the garnishment order along with two copies of the answer form to each of the following persons at the following address: _____

(5) Mail Service. By mailing on the _____ day of _____, _____, a copy of the garnishment order, along with two copies of the answer form, by first class mail to each of the following persons at the following addresses: _____

(6) Telefacsimile communication. By faxing on the _____ day of _____, _____, at _____ o'clock _m., a copy of the garnishment order, along with two copies of the answer form, to the following persons: _____

Number of transmitting machine: _____

Number of receiving machine: _____

(7) Internet electronic mail. By e-mailing on the _____ day of _____, _____, at _____ o'clock __.m., a copy of the garnishment order, along with a copy of the answer form, to the following persons at the following e-mail addresses: _____

Transmitting person's e-mail address: _____

(8) No Service. The following persons were not served:

Pursuant to K.S.A. 53-601, as amended, I declare under the penalty of perjury that the foregoing is true and correct.

EXECUTED on _____, _____.

Signature, Sheriff or Process Server

Form No. 15: ANSWER OF GARNISHEE (NONEARNINGS)

File Stamp Date _____
Case Number _____

Prepared by:
Filer's name, SC#
Filer's address
Filer's phone number
{Filer's fax phone number}
{Filer's e-mail address}
Attorney for Judgment Creditor

In The District Court of _____ County, Kansas

Judgment Creditor name Judgment Creditor

vs.

Case No. _____

Judgment Debtor name Judgment Debtor
Judgment Debtor address
{Judgment Debtor SSN/TIN}

Garnishee name Garnishee
Garnishee's address
Garnishee's county
{Garnishee's fax phone number (if known)}
{Garnishee's e-mail address (if known)}

Pursuant to Chapter 61 of
Kansas Statutes Annotated

ANSWER OF GARNISHEE
(To Attach Money or Other Intangible Property
Other Than Earnings)

To be completed by the above named garnishee:

1. Read carefully the attached Instructions to Garnishee.
2. I was served with this garnishment on the _____ day of _____, _____.
3. I have not delivered to the judgment debtor any money or other intangible property belonging to him or her, other than earnings, since receiving the order of garnishment.
4. If I am a bank, savings and loan association, credit union or finance company, and I am holding any funds, credits or indebtedness belonging to or owing the judgment debtor, the amount to be withheld by me pursuant to this order shall not exceed \$_____.
5. **Money or Indebtedness Due.** I hold money or am indebted to the judgment debtor, other than for earnings, as of the date of this answer, in the following manner and amounts:

6. **To be answered by garnishee who is an executor or administrator of an estate.** I am an _____ of the estate of _____, containing funds or intangible property to which the judgment debtor is or may become entitled as a _____, and I understand that the order of garnishment has the effect of attaching and creating a first and prior lien on all such funds or intangible property to which the judgment debtor becomes entitled upon distribution to the estate and that I am prohibited from delivering to the judgment debtor any such funds or intangible property until further order of the Court from which the order of garnishment was issued. The approximate date for distributing the assets of the estate is _____, _____.

7. I am holding from funds, credits or indebtedness due the judgment debtor an administrative fee in the amount of \$_____.

See attached Instructions to Garnishee for amount of the administrative fee that can be retained.

8. _____ This account is owned in joint tenancy.

9. I will hold the above described moneys or other items in my possession until further direction from the judgment creditor.

Pursuant to K.S.A. 53-601, as amended, I declare under the penalty of perjury that the foregoing is true and correct.

EXECUTED on _____, _____.

Garnishee

THIS COMPLETED ANSWER OF GARNISHEE MUST BE FILED WITH THE CLERK OF THE COURT.

INSTRUCTIONS TO GARNISHEE
(To Attach Other Than Earnings)

You must complete the Answer form which accompanies these instructions within 10 days after the garnishment order is served on you. The Answer form covers two (2) types of property:

(1) **Money, funds, credits or other indebtedness you owe to the judgment debtor (other than earnings).** You must disclose on the Answer any money that you owe to the judgment debtor as of the date the order is served on you and any money that you owe to the judgment debtor up until the time you complete the Answer form.

(2) **Intangible property or funds of an estate in which the judgment debtor is a beneficiary under the estate.** If you are an executor or administrator of the estate, you must disclose the information about the estate required on the Answer form and not deliver to the judgment debtor any such intangible property or funds until further order of the Court from which the order of garnishment was issued.

If more than one of the categories above applies to you, then you must complete all sections of the Answer form which apply.

Earnings are defined as compensation for personal services, whether called wages, salary, commission, bonus or otherwise, which is paid to an employee. If the judgment debtor is an employee of yours, then the compensation you pay for personal services is earnings and you do not disclose this under category 1. If the judgment debtor works for you other than as an employee, such as under a contract or as a contractor, then the money you pay for the work is not earnings and you must disclose all of the money due the judgment debtor in category 1 above.

Joint Account. If you are a bank, savings and loan association, credit union or finance company and you hold funds or credits or are indebted to the judgment debtor on an account which the judgment debtor owns in joint tenancy with one or more individuals who are not subject to the garnishment, you shall withhold the entire amount sought by the garnishment. You shall not be liable to the joint owners if it is later determined that the judgment debtor does not own the funds.

Administrative Fee: From funds, credits or indebtedness due the judgment debtor, you may withhold and retain to defray your costs an administrative fee of \$10 for each garnishment order served on you that attaches funds, credits or indebtedness. Such administrative fee shall be in addition to the amount required to be withheld under the order for garnishment, except that if the amount required to be withheld under the order for garnishment is greater than the amount of the funds, credits or indebtedness held by the garnishee, the fee shall be deducted from the amount withheld.

If you are a bank, savings and loan association, credit union or finance company, and are holding any funds, credits or indebtedness belonging to or owing the judgment debtor, the amount to be withheld by you pursuant to the order shall not exceed the amount stated in the order.

Sign and date the Answer form under penalty of perjury on the line provided at the bottom of the form and file it with the clerk of the district court.

Hold the money or property disclosed in the Answer form until you receive an order from the court which will instruct you how to pay the amount that you are holding as indicated by your Answer or such lesser amount as may be indicated in the order.

Form No. 16: NOTICE TO JUDGMENT DEBTOR (NONEARNINGS GARNISHMENT)

Prepared by:

Filer's name, SC#

Filer's address

Filer's phone number

{Filer's fax phone number}

{Filer's e-mail address}

Attorney for Judgment Creditor

In The District Court of _____ County, Kansas

Judgment Creditor name Judgment Creditor

vs.

Case No. _____

Judgment Debtor name Judgment Debtor

Judgment Debtor address

{Judgment Debtor SSN/TIN}

Garnishee name Garnishee

Garnishee's address

Garnishee's county

{Garnishee's fax phone number (if known)}

{Garnishee's e-mail address (if known)}

Pursuant to Chapter 61 of
Kansas Statutes Annotated

TO BE DELIVERED BY THE JUDGMENT CREDITOR TO THE JUDGMENT DEBTOR IN ANY REASONABLE MANNER IMMEDIATELY FOLLOWING SERVICE OF THE GARNISHMENT ORDER ON THE GARNISHEE.

NOTICE TO JUDGMENT DEBTOR
(nonearnings garnishment)

You are hereby notified that the court has issued an order in the above case in favor of (name and address of judgment creditor), the judgment creditor in this proceeding, directing that some of your money, property or credits now in the possession of (name and address of garnishee), the garnishee in this proceeding, be used to satisfy your debt to the judgment creditor. This order was issued to enforce the judgment obtained by the judgment creditor against you in this case on _____, _____. This order prohibits the garnishee from releasing all or part of your money or property to you, and the court will order that this money or property be turned over to the judgment creditor unless it finds that there is some reason why this money or property should not be used to satisfy the judgment.

The law of Kansas and the United States provides that certain benefit payments cannot be taken from you to pay a debt, even if they are deposited in a bank, savings and loan, or credit union. Such payments are commonly referred to as exempt property. Examples of exempt benefit payments which cannot be attached or executed upon by a creditor are:

- (1) Social Security disability and retirement benefits;
- (2) Supplemental Security Income (SSI) benefits;
- (3) Veteran's benefits;
- (4) Black lung benefits;
- (5) Cash assistance payments under the Temporary Assistance for Families (TAF) program;
- (6) Cash assistance payments under the General Assistance (GA) program;
- (7) Unemployment compensation payments;
- (8) Workers compensation payments;
- (9) Certain pension benefits and retirement funds, including KPERs.

This is not an exclusive list. Other state and federal exemptions may apply to you. Certain exemptions may not apply to support orders or to back taxes. An attorney can assist you in determining which benefit payments are exempt.

If the court order affects property other than money which belongs to you, some or all of this property may also be exempt. Examples of exempt personal property are:

- (1) Furnishings, equipment and supplies in your possession and reasonably necessary at your principal residence;
- (2) Personal jewelry and other ornaments up to \$1,000 in value;
- (3) One vehicle regularly used for transportation up to \$20,000 in value;
- (4) Tools and equipment used in your principal trade or business up to \$7,500 in value.

If you believe that the money or property being held by the garnishee is exempt and should not be given to the judgment creditor, you may request a hearing before the court to assert this claim. In order to request a hearing, you should fill out the form at the bottom of this notice and obtain from the clerk of the court or the court a date and time for the hearing, and file the form with the clerk of the court at (address of court). Immediately after the request for hearing is filed, you shall hand deliver a copy of the request for hearing to the judgment creditor or judgment creditor's attorney, if judgment creditor is represented by an attorney, or mail a copy of the request for hearing to the judgment creditor or judgment creditor's attorney, if judgment creditor is represented by an attorney, by first-class mail at the judgment creditor's, or judgment creditor's attorney's, last known address. You should ask for this hearing as soon as possible, but no later than 10 days after this notice is served on you. If you ask for a hearing to claim that your money or property is exempt, the court will hold a hearing within 10 days after it receives your request. At the hearing you should present any evidence you have to show that your money or property is exempt. The burden is on you to prove that some or all of your property subject to the garnishment is exempt. You may wish to consult an attorney to represent you at this hearing.

(Name and address of court)

Case No. _____

REQUEST FOR HEARING

I request a hearing because the money or property which is being garnished by the judgment creditor is exempt because it is

(reason property or money is exempt)

Name of Judgment Debtor

Signature of Judgment Debtor

Address

Date

City, State, Zip Code

Telephone No.

THIS PART SHALL BE COMPLETED BY CLERK OF THE DISTRICT COURT:

The hearing requested shall be held on the _____(day) day of _____(month),
_____ (year), at _____(time) o'clock _____(am or pm).

Certificate of Service

I delivered a copy of the above request for hearing to the judgment creditor or judgment creditor's attorney, if the judgment creditor is represented by an attorney, by hand-delivery or first-class mail in the following manner and at the following address, on the date shown below:

(name of judgment creditor or judgment creditor's attorney)

(address of judgment creditor or judgment creditor's attorney)

(manner delivered--hand-delivery or first-class mail)

(date delivered)

Signature of Judgment Debtor

Form No. 17: ORDER TO PAY MONEY TO COURT

File Stamp Date
Case Number _____

Prepared by:
Filer's name, SC#
Filer's address
Filer's phone number
{Filer's fax phone number}
{Filer's e-mail address}
Attorney for Judgment Creditor

In The District Court of _____ County, Kansas

Judgment Creditor name Judgment Creditor

vs. Case No. _____

Judgment Debtor name Judgment Debtor
Judgment Debtor address
{Judgment Debtor SSN/TIN}

Garnishee name Garnishee
Garnishee's address
Garnishee's county
{Garnishee's fax phone number (if known)}
{Garnishee's e-mail address (if known)}

Pursuant to Chapter 61 of
Kansas Statutes Annotated

Type of Service Requested: _____ by _____

ORDER TO PAY MONEY TO COURT

With regard to the Order of Garnishment dated _____, _____, the Garnishee, _____, is hereby ordered to pay to the clerk of this court the sum of \$ _____. Said Garnishee shall be discharged from liability to said defendant for money so paid. If the amount to be paid is less than the amount the Garnishee is holding pursuant to the garnishment, the Garnishee shall promptly release the balance to the defendant.

The garnishee shall make its check payable to and mail to:

Clerk of the District Court
_____ County Courthouse

Dated: _____.

Signature, Judge

Approved:

Judgment Creditor or Attorney Signature
SC#

If applicable, include the following:

This is a communication from a debt collector. This is an attempt to collect a debt and any information obtained will be used for that purpose.

Form No. 18: REQUEST FOR GARNISHMENT (EARNINGS)

File Stamp Date _____
Case Number _____

Prepared by:
Filer's name, SC#
Filer's address
Filer's phone number
{Filer's fax phone number}
{Filer's e-mail address}
Attorney for Judgment Creditor

In The District Court of _____ County, Kansas

Judgment Creditor name Judgment Creditor

Pursuant to Chapter 61 of
Kansas Statutes Annotated

Type of Service Requested: _____ by _____

**REQUEST FOR GARNISHMENT
(To Attach Earnings)**

The judgment creditor requests that the court issue an Order of Garnishment (To Attach Earnings) for the judgment debtors listed below in the amount of the judgment(s) shown below.

<u>Case No</u>	<u>Judgment Debtor Name, Address and SSN/TIN</u>	<u>Garnishee's Name and Address</u>	<u>Judg Amount *</u>
98-12345	John Doe 123 Cherry Lane Cherry, KS 00000 000-00-0001	ABC, Inc. 100 Main St. Cherry, KS 00000	\$_____
98-12345	Jane Doe 123 Cherry Lane Cherry, KS 00000 000-000-0002	XYZ, Inc. 500 Main St. Cherry, KS 00000	\$_____
97-54321	Bob Smith 123 Easy St. Somewhere, KS 00001 000-00-0003	Betty's Diner 300 Elm St. Somewhere, KS 00001	\$_____

The purpose of the Garnishment is _____.

* The judgment amount is the current balance due and may also include costs, fees, interest and any other items included in the judgment.

I hold a good faith belief that the party to be served with this garnishment order has, or will have, assets of the judgment debtor(s).

Dated: _____, _____.

Judgment Creditor or Attorney Signature
SC#

If applicable, include the following:

This is a communication from a debt collector. This is an attempt to collect a debt and any information obtained will be used for that purpose.

Note: If this form is filed on paper, you must submit copies in a number equal to the number of requests for garnishment.

Form No. 19: ORDER OF GARNISHMENT (EARNINGS)

File Stamp Date _____
Case Number _____

Prepared by:
Filer's name, SC#
Filer's address
Filer's phone number
{Filer's fax phone number}
{Filer's e-mail address}
Attorney for Judgment Creditor

In The District Court of _____ County, Kansas

Judgment Creditor name Judgment Creditor

vs.

Case No. _____

Judgment Debtor name Judgment Debtor
Judgment Debtor address
{Judgment Debtor SSN/TIN}

Garnishee name Garnishee
Garnishee's address
Garnishee's county
{Garnishee's fax phone number (if known)}
{Garnishee's e-mail address (if known)}

Pursuant to Chapter 61 of
Kansas Statutes Annotated

Type of Service Requested: _____ by _____

**ORDER OF GARNISHMENT
(To Attach Earnings)**

To the above-named Garnishee:

The attached Instructions to Garnishee are incorporated by reference. You are ordered as a garnishee to follow the attached instructions as if they were set forth in this Order.

If you are indebted to the judgment debtor, complete the attached Answer under penalty of perjury as set forth in the instructions.

This order of garnishment shall have the effect of attaching the nonexempt portion of the judgment debtor's earnings for all pay periods which end while the order is in effect. The order takes effect the day it is served on you. This order of garnishment is a continuing order and shall remain in effect until the judgment against the judgment debtor has been paid or the garnishment is released, whichever occurs sooner.

This order shall also constitute an order of the court directing the garnishee to pay to the judgment creditor all earnings which are to be withheld under this order.

If you fail to complete and send your answer as required above, the judgment creditor may file a motion for judgment against you for the amount of judgment against the judgment debtor or such other amount as the court shall order, including the expenses and attorney fees of the judgment creditor. If you fail to make payment of funds as required under this order, the judgment creditor may file a motion for judgment against you for contempt or such amount as the court shall order, including the expenses and attorney fees of the judgment creditor.

Dated this ____ day of _____, ____.

BY ORDER OF THE COURT

If applicable, include the following:

This is a communication from a debt collector. This is an attempt to collect a debt and any information obtained will be used for that purpose.

RETURN ON SERVICE OF GARNISHMENT ORDER

I hereby certify that I have served this garnishment order in the following manner:

(1) Personal Service. By delivering a copy of the garnishment order along with two copies of the answer form to each of the following persons on the dates indicated:

_____, _____,
_____, _____
(Name) (Date)

(2) Agent Service. By delivering a copy of the garnishment order along with two copies of the answer form to each of the following agents authorized by appointment or by law to receive service of process on the dates indicated:

_____, _____,
_____, _____
(Name) (Date)

(3) Service by Return Receipt Delivery. By causing to be delivered on the ____ day of _____, _____, a copy of the garnishment order along with two copies of the answer form by return receipt delivery to each of the following persons at the following address: _____

with such delivery made by the following person or entity: _____.
Attached hereto is a copy of the return receipt evidencing such delivery.

(4) Return Receipt Delivery Refused. By mailing on the ____ day of _____, _____, a copy of the garnishment order along with two copies of the answer form to each of the following persons at the following address: _____

(5) Mail Service. By mailing on the ____ day of _____, _____, a copy of the garnishment order, along with two copies of the answer form by first class mail to each of the following persons at the following addresses: _____

(6) Telefacsimile communication. By faxing on the ____ day of _____, _____, at ____ o'clock __.m., a copy of the garnishment order, along with two copies of the answer form, to the following persons: _____

Number of transmitting machine: _____

Number of receiving machine: _____

(7) Internet electronic mail. By e-mailing on the ____ day of _____, _____, at ____ o'clock __.m., a copy of the garnishment order, along with a copy of the answer form, to the following persons at the following e-mail addresses: _____

Transmitting person's e-mail address: _____

(8) No Service. The following persons were not served:

Pursuant to K.S.A. 53-601, as amended, I declare under the penalty of perjury that the foregoing is true and correct.

EXECUTED on _____, _____.

Signature, Sheriff or Process Server

8. Amounts required by law to be withheld for the pay period or periods covered are:

- (1) Federal social security tax \$ _____.
- (2) Federal income tax \$ _____.
- (3) State income tax \$ _____.
- (4) Railroad Retirement Tax \$ _____.

TOTAL DEDUCTIONS \$ _____.
 (Deduct only those items listed above)

9. Disposable earnings for the pay period or periods covered are: \$ _____.
 (7 minus 8)

See the attached Instructions to Garnishee to determine amount of disposable earnings to be withheld.

10. I am subtracting from the disposable earnings in 9 pursuant to an income withholding order for support the amount of \$ _____.

11. I am subtracting from the disposable earnings in 9 pursuant to a lien which has priority over garnishments under the law the following amount: type of lien _____
 \$ _____.

12. In accordance with the instructions accompanying this answer form, I have determined that the amount which may be paid to employee is \$ _____.

13. I am holding from the amount in 12 an administrative fee in the amount of \$ _____.

See attached Instructions to Garnishee for amount of the administrative fee that can be retained.

14. After paying to the employee the amount stated in 12 less the administrative fee in 13, and deducting any amount shown in 10 and 11, I am holding the remainder of the employee's disposable earnings in the amount of \$ _____.

15. If I do not receive an objection to this Answer within 10 days after I deliver it to all parties entitled to a copy, I will pay the amount held in 14 to the following judgment creditors:

Case No.	Name	Address	<u>Amount</u>
A. _____	_____	_____	\$ _____

B. _____	_____	_____	\$ _____

C. _____	_____	_____	\$ _____

D. _____	_____	_____	\$ _____

Judgment Debtor Name & Address: _____

If more space is needed, attach separate sheet.

Pursuant to K.S.A. 53-601, as amended, I declare under the penalty of perjury that the foregoing is true and correct.

EXECUTED on _____, _____.

Garnishee

THIS COMPLETED ANSWER OF GARNISHEE MUST BE SENT TO ALL OF THE JUDGMENT CREDITORS LISTED ABOVE AND TO THE JUDGMENT DEBTOR. DO NOT SEND TO CLERK OF THE DISTRICT COURT.

INSTRUCTIONS TO GARNISHEE
(To Attach Earnings)

You must complete the Answer form which accompanies these instructions on or before the 15th day of each month. You must complete the Answer form for all pay periods which end during the prior month for that portion of the employee's earnings which is not exempt from wage garnishment. Earnings are defined as compensation for personal services, whether called wages, salary, commission, bonus or otherwise.

The garnishment order takes effect on the day it is served on you. If there is only one garnishment in effect against the judgment debtor, for the first month it is in effect, the order covers all pay periods which end on or after the day the order takes effect. For each subsequent month, the order covers all pay periods which end during each month.

The garnishment order served upon you is a continuing order and shall remain in effect until the judgment against the judgment debtor has been paid or the garnishment is released, whichever occurs sooner. As long as the garnishment order is in effect, you must complete an Answer form for each month.

More than one order of garnishment may be served on you against the same judgment debtor. If more than one order is in effect at the end of the month, you need only complete one Answer for that month, but you must send a copy of it to all judgment creditors who have garnishment orders in effect at the end of the month, and a copy to the judgment debtor (your employee). You may duplicate the Answer form in any manner you desire. You may send a copy to each judgment creditor and the judgment debtor by regular mail, fax transmission, electronic mail, personal delivery, or any other reliable delivery method.

The Answer form is provided for your convenience in furnishing the required information. It is designed so that you may prepare your answer in conjunction with the preparation of your payroll. Wait until the end of the prior month and apply the tests set forth in these instructions to the entire earnings of the employee during the month, completing your answer in accordance with these instructions. If you do not choose to use the Answer form provided, your answer, under penalty of perjury shall contain at least the same information contained on the Answer form provided.

Here are the instructions to complete the Answer form:

1. For all pay periods for the judgment debtor (your employee) which end during the prior month, complete paragraphs 5 through 9 of the form. For the first month the first garnishment is in effect, make your computations for all pay periods which end on and after the day this order takes effect. After that, make your computations for all pay periods which end during the prior month.
2. If the order of garnishment states at the top of the order that it is issued for the purpose of enforcing (1) an order of any court of bankruptcy under chapter XIII of the federal bankruptcy act or (2) a debt due for any state or federal tax, you must retain in your possession until further order of the court all of the disposable earnings for all pay periods ending during the month. If this paragraph applies, sign and date the form at the bottom and send a copy to all judgment creditors who have a garnishment in effect at the end of the month and to the judgment debtor.

3. If the order of garnishment states at the top of the order that it is issued for the purpose of enforcing an order of any court for child support or spousal support, you must retain in your possession until further order of the court 50% of the disposable earnings for all pay periods ending during the month, or such greater percentage as may be indicated in paragraph D in the table below in paragraph 7. If this paragraph applies, sign and date the form at the bottom and send a copy to all judgment creditors who have a garnishment in effect at the end of the month and to the judgment debtor.

4. If paragraphs 2 or 3 do not apply, continue to paragraph 5.

5. If you are withholding money from the judgment debtor's earnings under an income withholding order, complete paragraph 10 of the form.

6. If you are withholding money from the judgment debtor's earnings under any other lien which has priority over garnishments under the law, complete paragraph 11 of the form.

7. Compute the amount of earnings which may be paid to the judgment debtor (your employee) and complete paragraphs 12, 13 and 14 of the Answer form in accordance with the following table:

A. If the employee's disposable earnings are less than:

- \$154.50 for a Weekly pay period
- \$309.00 for a Biweekly pay period
- \$334.75 for a Semimonthly pay period
- \$669.50 for a Monthly pay period

Pay the employee as if the employee's pay check were not garnished.

B. If the employee's disposable earnings are:

\$154.50 to \$206.00 for a Weekly pay period, pay the employee	.....	\$154.50
\$309.00 to \$412.00 for a Biweekly pay period, pay the employee	.....	\$309.00
\$334.75 to \$446.34 for a Semimonthly pay period, pay the employee	.....	\$334.75
\$669.50 to \$892.67 for a Monthly pay period, pay the employee	.....	\$669.50

Any disposable earnings remaining after payment of the above amounts shall be held for payment to the judgment creditors listed in paragraph 15 of the Answer form.

C. If the employee's disposable earnings are more than:

\$206.00 for a Weekly pay period, pay the employee	.....	75% of disposable earnings
\$412.00 for a Biweekly pay period, pay the employee	.....	75% of disposable earnings
\$446.34 for a Semimonthly pay period, pay the employee	.....	75% of disposable earnings
\$892.67 for a Monthly pay period, pay the employee	.....	75% of disposable earnings

Any disposable earnings remaining after payment of the above amounts shall be held for payment to the judgment creditors listed in paragraph 15 of the Answer form.

NOTE: The numbers used in this paragraph are illustrative only and must be adjusted to comply with K.S.A. 60-725.

D. **SUPPORT ORDERS.** If the person seeking the garnishment for court ordered support desires to garnish more than 50% of disposable earnings, that person may request in writing to the clerk of the court to check one of the below applicable percentages:

55% Employee also supports a spouse or dependent child not covered by this support order and payments are 12 weeks overdue.

60% Employee does not support a spouse or dependent child and payments are not 12 weeks overdue.

65% Employee does not support a spouse or dependent child and payments are 12 weeks overdue.

Any disposable earnings remaining after payment of the above amounts shall be retained until further order of the court.

Administrative Fee: From income due the employee, you may withhold and retain to defray your costs an administrative fee of \$10 for each pay period for which income is withheld, not to exceed \$20 for each month for which income is withheld, whichever is less. Such administrative fee shall be in addition to the amount required to be withheld under the order for garnishment. If the addition of this fee causes the total amount withheld to exceed the amount you are to withhold pursuant to the instructions above, the fee shall be deducted from the amount withheld.

8. Complete paragraph 15 by listing the case number, name and address for all judgment creditors who have a garnishment in effect against the judgment debtor at the end of the prior month. Compute the amount to be paid to each judgment creditor. For example, if there is only one judgment creditor, pay all to that one; if there are two judgment creditors, pay each one-half (1/2); if there are three judgment creditors, pay each one-third (1/3); etc. This allocation should be followed even if some or all of the garnishments were in effect for less than the entire month.

9. Sign and date the Answer form under penalty of perjury on the line provided at the bottom of the form and deliver a copy to all judgment creditors listed in 15 and to the judgment debtor. You may deliver a copy by regular mail, fax transmission, electronic mail, personal delivery, or any other reliable delivery method.

10. If you do not receive an objection to the Answer within 10 days after you have delivered it, send a check to the judgment creditors listed in 15 for the amount due each as shown in 15.

Form No. 21: NOTICE TO JUDGMENT DEBTOR (EARNINGS GARNISHMENT)

Prepared by:
Filer's name, SC#
Filer's address
Filer's phone number
{Filer's fax phone number}
{Filer's e-mail address}
Attorney for Judgment Creditor

In The District Court of _____ County, Kansas

Judgment Creditor name Judgment Creditor

vs.

Case No. _____

Judgment Debtor name Judgment Debtor
Judgment Debtor address
{Judgment Debtor SSN/TIN}

Garnishee name Garnishee
Garnishee's address
Garnishee's county
{Garnishee's fax phone number (if known)}
{Garnishee's e-mail address (if known)}

Pursuant to Chapter 61 of
Kansas Statutes Annotated

TO BE DELIVERED BY THE JUDGMENT CREDITOR TO THE JUDGMENT DEBTOR IN ANY REASONABLE MANNER IMMEDIATELY FOLLOWING SERVICE OF THE GARNISHMENT ORDER ON THE GARNISHEE.

**NOTICE TO JUDGMENT DEBTOR
(earnings garnishment)**

You are hereby notified that the court has issued an order in the above case in favor of (name and address of judgment creditor), the judgment creditor in this proceeding, directing that some of your personal earnings, now in the possession of your employer, be used to satisfy some of your debt to the judgment creditor instead of being paid to you. This order was issued to enforce the judgment obtained by the judgment creditor against you in this case on _____, _____.

This order, called a garnishment order, requires your employer to withhold a certain amount from your earnings each pay period until your debt to the judgment creditor is satisfied or the order is released by the judgment creditor or set aside by the court.

The laws of Kansas and the United States provide that you have a right to be paid a certain amount of your personal earnings regardless of the claims of your creditors. In general, this amount is 75% of your earnings after federal and state taxes, social security, and any other deductions required by law are taken out. If the debt is for child support or the support of any other person, the protected amount is less, ranging from 35% to 50%. In addition, if your earnings are less than 30 times the federal minimum hourly wage for each week in the pay period, all of your earnings should be paid to you.

On each normal payday you should receive a paycheck for the amount your employer calculates you are entitled to receive by law. Your employer should furnish you with a written explanation of how the amount of your paycheck was calculated with the check.

If you believe that too much of your earnings have been withheld from your paycheck, you may request a hearing before this court.

If you were unable to work at your regular job for two weeks or more because you or a member of your family were sick, your earnings may not be garnished for two months after recovery from such illness. You do not need to ask for a hearing to assert this right if it applies to you. All you need to do is to file an affidavit with the court setting out the facts about the illness and your inability to work. If the garnishment order is not released after you file this affidavit, you may ask for a hearing.

In order to request a hearing, you should fill out the form at the bottom of this notice and obtain from the clerk of the court or the court a date and time for the hearing, and file the form with the clerk of the court at (address of court). Immediately after the request for hearing is filed, you shall hand deliver a copy of the request for hearing to the judgment creditor or judgment creditor's attorney, if judgment creditor is represented by an attorney, or mail a copy of the request for hearing to the judgment creditor or judgment creditor's attorney, if judgment creditor is represented by an attorney, by first-class mail at the judgment creditor's, or judgment creditor's attorney's, last known address. You should ask for this hearing as soon as possible, but no later than 10 days after this notice is served on you.

If you ask for a hearing, the court will hold a hearing within 10 days from the date it receives your request. At the hearing, you should present any evidence you have in support of your position. The burden is on you to prove that some or all of your property subject to the garnishment is exempt. You may wish to consult an attorney to represent you at this hearing.

(Name and address of court)

Case No. _____

REQUEST FOR HEARING

I request a hearing to dispute the judgment creditor's garnishment of my earnings because

(reason)

Name of Judgment debtor

Signature of Judgment debtor

Address

Date

City, State, Zip Code

Telephone No.

THIS PART SHALL BE COMPLETED BY CLERK OF THE DISTRICT COURT:

The hearing requested shall be held on the _____(day) day of _____(month),
_____(year), at _____(time) o'clock _____(am or pm).

Certificate of Service

I delivered a copy of the above request for hearing to the judgment creditor or judgment creditor's attorney, if the judgment creditor is represented by an attorney, by hand-delivery or first-class mail in the following manner and at the following address, on the date shown below:

(name of judgment creditor or judgment creditor's attorney)

(address of judgment creditor or judgment creditor's attorney)

(manner delivered--hand-delivery or first-class mail)

(date delivered)

Signature of Judgment Debtor

Form No. 22: ATTACHMENT ORDER AND RETURN

File Stamp Date _____
Case Number _____

Prepared by:
Filer's name, SC#
Filer's address
Filer's phone number
{Filer's fax phone number}
{Filer's e-mail address}
Attorney for Plaintiff

In The District Court of _____ County, Kansas

Plaintiff's name Plaintiff

vs.

Case No. _____

Defendant's name Defendant
Defendant's address
{Defendant's SSN/TIN}

Pursuant to Chapter 61 of
Kansas Statutes Annotated

ATTACHMENT ORDER

To the Sheriff or other Process Server:

You are commanded to attach the goods, chattels, stocks, rights, credits, moneys and effects of the above-named defendant in the last above-named county, not exempt by law from being applied to the payment of the above-named plaintiff's claim, or so much thereof as will satisfy said plaintiff's claim in the sum of \$_____, and the further sum of \$_____ as the probable court costs of the above-entitled action; and you will return this writ to the undersigned on or before the _____ day of _____, ____.

If the goods, chattels, stocks, rights, credits, moneys or effects sought to be attached by you are in the hands of some person other than the defendant, you shall serve a copy of this order on such third party and declare to him or her that you attach the same and that he or she is made a garnishee in accordance with the following directions to such third party:

"If the officer serving this order of attachment upon you declares to you that he or she attaches any funds or property of the defendant in your hands, you are hereby made a garnishee in the above-entitled matter.

"You are hereby ordered as a garnishee to file with the clerk of the above-named court, within _____ days after service of this order upon you, your answer under oath stating whether you are at the time of the service of this order upon you, and also whether at any time thereafter but before you file your answer, indebted to the defendant, or have in your possession, or control any property belonging to the defendant, and stating the amount of any such indebtedness and description of any such property. You are hereby further ordered to withhold the payment of any such indebtedness, or the delivery away from yourself of any such property, until the further order of the court.

"Failure to file your answer as aforesaid shall entitle the plaintiff to judgment against you for the full amount of his or her claim and costs."

Signature, Judge

Dated: _____

RETURN ON ATTACHMENT ORDER

(MANNER OF EXECUTION)

On _____, _____, at ___ o'clock, ___M., I received this attachment order and executed the same as follows:

(1) Property Found and Attached. On _____, _____, I went to _____ where personal property of _____, defendant, was found and there declared that, by virtue of said order of attachment and at the suit of the plaintiff, I attached the personal property of said defendant. On _____, _____, together with _____ and _____, two disinterested appraisers who are residents of this county, I made a true inventory and appraisal of the personal property attached, which inventory and appraisal is returned herewith.

(2) Property in Possession of Officer. The property listed in the inventory and appraisal is now in my possession, subject to the further order of the court.

(3) Bond received. On _____, _____, I received from _____, defendant (or person in possession), with _____ and _____ as sureties thereon, a bond in the amount of \$_____, double the amount of the plaintiff's claim (or double the appraisal of the property) and thereafter the property attached was returned to (or left in possession of) _____. Said bond has been by me determined to be sufficient and is herewith filed with the court.

(4) Third Party Declared Garnishee. On _____, _____, I went to _____ where funds, credits or other personal property of _____, defendant, was found in the hands of _____, to whom I declared that I attached any funds or property of the defendant in his or her hands, made him or her a garnishee and ordered him or her to file an answer as garnishee in this action. I also served a copy of said attachment order on such third party.

(5) Property Not Found. I attempted to execute this attachment order, but was unable to locate any personal property of _____, defendant, within this county.

(The officer should delete or omit those portions not applicable to the manner of executing the order.)

(MANNER OF SERVICE ON DEFENDANTS)

I hereby certify that I served a copy of the attachment order on the defendant _____ at the time and in the manner following, to wit: _____.

I was unable to locate the following defendant _____ within this county.

Signature, Sheriff or Process Server

Dated: _____

PART D: APPEALS

Form No. 25: NOTICE OF APPEAL

File Stamp Date
Case Number _____

Prepared by:
Filer's name, SC#
Filer's address
Filer's phone number
{Filer's fax phone number}
{Filer's e-mail address}
Attorney for Plaintiff

In The District Court of _____ County, Kansas

Plaintiff's name Plaintiff

vs. Case No. _____

Defendant's name Defendant
Defendant's address
{Defendant's SSN/TIN}

Pursuant to Chapter 61 of
Kansas Statutes Annotated

NOTICE OF APPEAL

To _____, the above-named Plaintiff (or Defendant):
Take notice that _____, defendant (or plaintiff) does and has appealed to
_____ from the judgment (or order, ruling or decision) rendered and made in the
above-entitled action on the _____ day of _____, _____, whereby it was by said court
decided, ordered and adjudged that _____.

Signature

Dated _____

CERTIFICATE OF SERVICE

I certify that I have served a copy of the above notice of appeal on _____, on
the _____ day of _____, _____; by depositing said notice in the United States mail,
postage prepaid, in an envelope addressed to said person at the last address of such person known
to me (or, by handing a copy of said notice to _____ at
_____).

Signature

Form No. 26: SUPERSEDEAS BOND ON MONEY JUDGMENT

File Stamp Date _____
Case Number _____

Prepared by:
Filer's name, SC#
Filer's address
Filer's phone number
{Filer's fax phone number}
{Filer's e-mail address}
Attorney for Plaintiff

In The District Court of _____ County, Kansas

Plaintiff's name Plaintiff

vs. Case No. _____

Defendant's name Defendant
Defendant's address
{Defendant's SSN/TIN}

Pursuant to Chapter 61 of
Kansas Statutes Annotated

SUPERSEDEAS BOND ON MONEY JUDGMENT

WHEREAS, in the above-entitled court and action a judgment was rendered on the ____ day of _____, _____, in favor of _____, plaintiff (or defendant), against _____, defendant (or plaintiff), in the sum of _____ dollars;

AND, WHEREAS, the said _____ has and does appeal from said judgment:
Now, we, _____ as principal, and _____, as surety _____, bind ourselves, our heirs, executors and administrators to _____, plaintiff (or defendant) in the penal sum of _____ dollars, that the said _____, defendant (or plaintiff), will prosecute said appeal without unnecessary delay and will satisfy the judgment in full together with costs, interest and damages for delay, if for any reason the appeal is dismissed or the judgment is affirmed; or will satisfy in full any modification of the judgment and such costs, interest and damages as the district court may adjudge and award.

Signature, Principal

Signature, Surety

Approved: _____, _____

Signature, Judge

PART E: EXECUTIONS AND HEARINGS IN AID

Form No. 27: WRIT OF GENERAL EXECUTION AND RETURN

File Stamp Date _____
Case Number _____

Prepared by:
Filer's name, SC#
Filer's address
Filer's phone number
{Filer's fax phone number}
{Filer's e-mail address}
Attorney for Plaintiff

In The District Court of _____ County, Kansas

Plaintiff's name Plaintiff

vs. Case No. _____

Defendant's name Defendant

Defendant's address
{Defendant's SSN/TIN}

Pursuant to Chapter 61 of
Kansas Statutes Annotated

Type of Service Requested: _____ by _____

WRIT OF GENERAL EXECUTION
(Pursuant to K.S.A. 60-2401)

WHEREAS, there is of record in this Court an unsatisfied judgment as follows:

Judgment Creditor: _____

Judgment Debtor(s): _____
(name)

(address)

Date of Judgment: _____

Judgment Balance Due: _____

Costs Unpaid: _____

To the Sheriff or other Process Server:

You are hereby directed to seize any non-exempt personal property belonging to the judgment debtor(s) and cause the same to be sold in satisfaction of said judgment, together with interest thereon and costs, including the costs and expenses for execution of this Writ, all in accordance with Article 24 of Chapter 60 of the Kansas Statutes Annotated.

You are further directed to return this Writ together with your report of the proceedings within 60 days from the date hereof.

A copy of this Writ shall be served on the defendant as provided under K.S.A. 60-2401.

DATED this _____ day of _____, _____.

Signature, Judge

Approved:

Judgment Creditor Attorney Signature
SC#

RETURN

On _____, _____, ___ o'clock ___ M., received this writ.

On _____, _____, ___ o'clock ___ M., levied on the non-exempt personal property of _____, described in the following schedules.

On _____, _____, advertised the same for sale.

On _____, _____, sold the following items of personal property at prices indicated, and the moneys received from such sale are herewith delivered to the court.

_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____

Total received \$ _____

The following goods remain unsold _____ for want of bidders.

Signature and Title of Officer

Form No. 28: NOTICE TO JUDGMENT DEBTOR (GENERAL EXECUTION)

Prepared by:
Filer's name, SC#
Filer's address
Filer's phone number
{Filer's fax phone number}
{Filer's e-mail address}
Attorney for Judgment Creditor

In The District Court of _____ County, Kansas

Judgment Creditor name Judgment Creditor

vs.

Case No. _____

Judgment Debtor name Judgment Debtor

TO BE SERVED ON THE JUDGMENT DEBTOR WITH THE WRIT OF EXECUTION.

**NOTICE TO JUDGMENT DEBTOR
(General Execution)**

You are hereby notified that the court has issued an order called a writ of execution in the above case in favor of (name and address of judgment creditor), the judgment creditor in this proceeding, directing that any of your property which is not exempt under the law be used to satisfy your debt to the judgment creditor. This order was issued to enforce the judgment obtained by the judgment creditor against you in this case on _____, _____.

The law of Kansas and the United States provides that certain property cannot be taken from you to pay a debt. Such property is commonly referred to as exempt property. Examples of exempt property which cannot be attached or executed upon by a creditor are:

- (1) Social Security disability and retirement benefits;
- (2) Supplemental Security Income (SSI) benefits;
- (3) Veteran's benefits;
- (4) Black lung benefits;
- (5) Cash assistance payments under the Temporary Assistance for Families (TAF) program;
- (6) Cash assistance payments under the General Assistance (GA) program;
- (7) Unemployment compensation payments;
- (8) Workers compensation payments;
- (9) Certain pension benefits and retirement funds, including KPERs;
- (10) Furnishings, equipment and supplies in your possession and reasonably necessary at your principal residence;
- (11) Personal jewelry and other ornaments up to \$1,000 in value;
- (12) One vehicle regularly used for transportation up to \$20,000 in value;
- (13) Tools and equipment used in your principal trade or business up to \$7,500 in value;
- (14) Homestead (usually, your residence).

This is not an exclusive list. Other state and federal exemptions may apply to you. Certain exemptions may not apply to support orders or to back taxes. These exemptions generally apply only to persons and not to entities such as corporations. An attorney can assist you in determining which of your property is exempt.

If you believe that the property which has been taken is exempt and should not be given to the judgment creditor, you may request a hearing before the court to assert this claim. In order to request a hearing, you should fill out the form at the bottom of this notice and obtain from the clerk of the court or the court a date and time for the hearing, and file the form with the clerk of the court at (address of court). Immediately after the request for hearing is filed, you shall hand-deliver a copy of the request for hearing to the judgment creditor or judgment creditor's attorney, if the judgment creditor is represented by an attorney, or mail a copy of the request for hearing to the judgment creditor or the judgment creditor's attorney, if the judgment creditor is represented by an attorney, by first-class mail at the judgment creditor's, or judgment creditor's

attorney's, last known address. You should ask for this hearing as soon as possible. If you ask for a hearing to claim that your money or property is exempt, the court will hold a hearing after it receives your request. At the hearing you should present any evidence you have to show that your property is exempt. The burden is on you to prove that some or all of your property subject to the execution is exempt. You may wish to consult an attorney to represent you at this hearing.

(Name and address of court)

Case No. _____

REQUEST FOR HEARING

I request a hearing because the property which is being seized by the judgment creditor is exempt because it is

(reason property is exempt)

Name of Judgment Debtor

Signature of Judgment Debtor

Address

Date

City, State, Zip Code

Telephone No.

THIS PART SHALL BE COMPLETED BY CLERK OF THE DISTRICT COURT:

The hearing requested shall be held on the _____(day) day of _____(month),
_____(year), at _____(time) o'clock _____(am or pm).

Certificate of Service

I delivered a copy of the above request for hearing to the judgment creditor or judgment creditor's attorney, if judgment creditor is represented by an attorney, by hand-delivery or first-class mail in the following manner and at the following address, on the date shown below:

(name of judgment creditor or judgment creditor's attorney)

(address of judgment creditor or judgment creditor's attorney)

(manner delivered--hand-delivery or first-class mail)

(date delivered)

Signature of Judgment Debtor

Form No. 29: REQUEST FOR ORDER TO APPEAR FOR HEARING IN AID OF EXECUTION

File Stamp Date

Prepared by:
Filer's name, SC#
Filer's address
Filer's phone number
{Filer's fax phone number}
{Filer's e-mail address}
Attorney for Judgment Creditor

In The District Court of _____ County, Kansas

**REQUEST FOR ORDER TO APPEAR FOR
HEARING IN AID OF EXECUTION**

The judgment creditor requests that the court issue an Order to Appear for Hearing in Aid of Execution for the judgment debtors listed below.

Judgment was entered in favor of the judgment creditor against each of the judgment debtors on the date shown below, and to this date the judgment remains unpaid and unsatisfied.

If any of the judgment debtors listed below reside outside of this county, the judgment creditor requests that the court find that such judgment debtors have submitted to the jurisdiction and venue of this Court, and that requiring such judgment debtors to appear before this Court for such examination will not cause undue hardship to such judgment debtors.

<u>Case Number</u>	<u>Judg Debtor Name</u>	<u>Judg Debtor Addr</u>	<u>Judg Date</u>
98-12345	John Doe	123 Cherry Lane Cherry, KS 00000	1/1/98
98-12345	Jane Doe	123 Cherry Lane Cherry, KS 00000	1/1/98
97-54321	Bob Smith	123 Easy St Somewhere, KS 00001	12/31/97

The judgment creditor further requests the following hearing date: _____, _____.

Judgment Creditor Attorney Signature
SC#

If applicable, include the following:

This is a communication from a debt collector. This is an attempt to collect a debt and any information obtained will be used for that purpose.

Note: If this form is filed on paper, you must submit copies in a number equal to the number of requests.

Form No. 30: ORDER TO APPEAR FOR HEARING IN AID OF EXECUTION

File Stamp Date _____
Case Number _____

Prepared by:
Filer's name, SC#
Filer's address
Filer's phone number
{Filer's fax phone number}
{Filer's e-mail address}
Attorney for Judgment Creditor

In The District Court of _____ County, Kansas

Judgment Creditor name Judgment Creditor

vs. Case No. _____

Judgment Debtor name Judgment Debtor

Type of Service Requested: _____ by _____

**ORDER TO APPEAR FOR
HEARING IN AID OF EXECUTION**

TO: Judgment Debtor Name
 Judgment Debtor Address

You are hereby ordered to personally appear before this Court at _____ __.m., on
_____, _____, at the following location:

to be examined and answer questions under oath or penalty of perjury concerning your property,
assets and income.

This order is directed to you for the reason that judgment was entered against you in this case and to
this date remains unpaid and unsatisfied.

If you reside outside of this county, the court finds that you have submitted to the jurisdiction and
venue of this Court, and that requiring you to appear before this Court for such examination will not
cause undue hardship to you.

Failure to appear at the above time and place may cause you to be cited and punished for contempt
of court.

You are encouraged to contact the attorney for your creditor to determine if the needed information
can be given in advance and your appearance excused.

Please bring these papers with you.

Dated: _____, _____.

JUDGE

If applicable, include the following:

This is a communication from a debt collector. This is an attempt to collect a debt and any
information obtained will be used for that purpose.

RETURN

I hereby certify that I have served this document in the following manner:

(1) Personal Service. By delivering a copy of such document to each of the following defendants on the dates indicated:

_____, _____
_____, _____

(2) Residence Service. By leaving a copy of such document at the usual place of residence of each of the following defendants with some person of suitable age and discretion residing therein on the dates indicated:

_____, _____, _____
_____, _____, _____
(Name) (Address) (Date)

(3) Agent Service. By delivering a copy of such document to each of the following agents authorized by appointment or by law to receive service of process on the dates indicated:

_____, _____
_____, _____
(Name) (Date)

(4) Residence Service and Mailing. By leaving a copy of such document at the usual place of residence of each of the following defendants and mailing by first-class mail on the dates indicated a notice that such copy has been so left:

_____, _____, _____
_____, _____, _____
(Name) (Address) (Date)

(5) Service by Return Receipt Delivery. By causing to be delivered on the _____ day of _____, _____, a copy of the summons and petition by return receipt delivery to each of the following defendants at the following address: _____

with such delivery made by the following person or entity: _____.
Attached hereto is a copy of the return receipt evidencing such delivery.

(6) Return Receipt Delivery Refused. By mailing on the _____ day of _____, _____, a copy of the summons and petition by first-class mail, postage prepaid, addressed to the following at the following address: _____

(7) No Service. The following defendants were not served:

Pursuant to K.S.A. 53-601, as amended, I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED on _____, _____.

Signature & Title of Officer or Process Server

Form No. 31: REQUEST FOR CITATION FOR CONTEMPT

File Stamp Date

Prepared by:
Filer's name, SC#
Filer's address
Filer's phone number
{Filer's fax phone number}
{Filer's e-mail address}
Attorney for Judgment Creditor

In The District Court of _____ County, Kansas

**REQUEST FOR
CITATION FOR CONTEMPT**

The judgment creditor requests that the court issue a Citation for Contempt for the judgment debtors listed below.

Each of the judgment debtors listed below was lawfully served with an Order to Appear before this Court and failed to appear at the time and place specified in the Order.

<u>Case Number</u>	<u>Judg Debtor Name</u>	<u>Judg Debtor Addr</u>	<u>Judg Date</u>
98-12345	John Doe	123 Cherry Lane Cherry, KS 00000	1/1/98
98-12345	Jane Doe	123 Cherry Lane Cherry, KS 00000	1/1/98
97-54321	Bob Smith	123 Easy St Somewhere, KS 00001	12/31/97

The judgment creditor further requests the following hearing date: _____, _____.

Judgment Creditor Attorney Signature
SC#

If applicable, include the following:

This is a communication from a debt collector. This is an attempt to collect a debt and any information obtained will be used for that purpose.

Note: If this form is filed on paper, you must submit copies in a number equal to the number of requests.

Form No. 32: CITATION FOR CONTEMPT

File Stamp Date
Case Number _____

Prepared by:
Filer's name, SC#
Filer's address
Filer's phone number
{Filer's fax phone number}
{Filer's e-mail address}
Attorney for Judgment Creditor

In The District Court of _____ County, Kansas

Judgment Creditor name Judgment Creditor

vs. Case No. _____

Judgment Debtor name Judgment Debtor

Type of Service Requested: _____ by _____

CITATION FOR CONTEMPT

TO:

Judgment Debtor Name
Judgment Debtor Address
{Judgment Debtor SSN/TIN}

It has been made to appear to the Court that you were lawfully served with an Order to Appear before this Court and failed to appear at the time and place specified in the Order.

THEREFORE, you are hereby commanded to either:

- (1) contact the judgment creditor's attorney within 10 days to furnish information under penalty of perjury concerning your property and income; or
- (2) personally appear before this Court at _____ .m. on _____, _____, at the following location:

TO SHOW CAUSE WHY YOU SHOULD NOT BE PUNISHED FOR CONTEMPT OF COURT for your failure to appear as set forth above.

You are encouraged to contact the attorney for your creditor so that this matter can be resolved in advance and your appearance not required.

Please bring these papers with you.

Dated: _____, _____.

JUDGE

If applicable, include the following:

This is a communication from a debt collector. This is an attempt to collect a debt and any information obtained will be used for that purpose.

RETURN

I hereby certify that I have served this document in the following manner:

(1) Personal Service. By delivering a copy of such document to each of the following defendants on the dates indicated:

_____, _____
_____, _____

(2) Residence Service. By leaving a copy of such document at the usual place of residence of each of the following defendants with some person of suitable age and discretion residing therein on the dates indicated:

_____, _____, _____
_____, _____
(Name) (Address) (Date)

(3) Agent Service. By delivering a copy of such document to each of the following agents authorized by appointment or by law to receive service of process on the dates indicated:

_____, _____
_____, _____
(Name) (Date)

(4) Residence Service and Mailing. By leaving a copy of such document at the usual place of residence of each of the following defendants and mailing by first-class mail on the dates indicated a notice that such copy has been so left:

_____, _____, _____
_____, _____
(Name) (Address) (Date)

(5) Service by Return Receipt Delivery. By causing to be delivered on the ____ day of _____, _____, a copy of the summons and petition by return receipt delivery to each of the following defendants at the following address: _____

with such delivery made by the following person or entity: _____.
Attached hereto is a copy of the return receipt evidencing such delivery.

(6) Return Receipt Delivery Refused. By mailing on the ____ day of _____, _____, a copy of the summons and petition by first-class mail, postage prepaid, addressed to the following at the following address: _____

(7) No Service. The following defendants were not served:

Pursuant to K.S.A. 53-601, as amended, I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED on _____, _____.

Signature & Title of Officer or Process Server

PART F: FORCIBLE DETAINER

Form No. 34: NOTICE TO VACATE PREMISES

NOTICE TO VACATE PREMISES

TO: _____:

You are hereby notified that you must immediately vacate and leave the following premises: _____.

If you fail to vacate and leave, an action will be commenced to remove you from the premises.

Signature

Dated _____

Form No. 35: NOTICE TO VACATE FOR NONPAYMENT OF RENT

NOTICE TO VACATE FOR NONPAYMENT OF RENT

To _____:

You are hereby notified that within three days (or ten days) you must either vacate and surrender possession of the following premises: _____, occupied by you as my tenant, or pay rent in the amount of \$_____, which was due on _____.

Should you fail to pay the rent in full, you are also notified that your tenancy of the premises is terminated for nonpayment of rent and that, if you have failed to vacate and surrender the premises, an action will be commenced to remove you from the premises.

Signature

Dated _____

PART G: REPLEVIN AND FORECLOSURE

Form No. 39: REPLEVIN AFFIDAVIT

File Stamp Date
Case Number _____

Prepared by:
Filer's name, SC#
Filer's address
Filer's phone number
{Filer's fax phone number}
{Filer's e-mail address}
Attorney for Plaintiff

In The District Court of _____ County, Kansas

Plaintiff's name Plaintiff

vs.

Case No. _____

Defendant's name Defendant
Defendant's address
{Defendant's SSN/TIN}

Pursuant to Chapter 61 of
Kansas Statutes Annotated

REPLEVIN AFFIDAVIT
(prejudgment replevin)

_____, being duly sworn, says that he or she is the plaintiff (or an agent for the corporate plaintiff) in the above-entitled action; that the plaintiff is the owner of the property claimed and described below, or is lawfully entitled to the possession thereof; that said property is wrongfully detained by the defendant, or, if it is held by an officer under legal process, that demand for the same has been made and refused; and that the property claimed by the plaintiff, together with the value of the article stated as nearly as practicable, is described as follows, to wit:

Description of Property	Value of Each Article
_____	\$ _____
_____	\$ _____
all of the aggregate value of	\$ _____

Pursuant to K.S.A. 53-601, as amended, I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED on _____, _____.

Signature

(4) Property Not Found. I was unable to locate any of the articles of personal property described in the order within this county.

(The officer should delete or omit those portions not applicable to the manner of executing of this order.)

(MANNER OF SERVICE ON DEFENDANTS)

I hereby certify that I served a copy of this order on the defendant at the time and in the manner following, to wit: ____.

I was unable to locate the following defendant _____ within this county.

Signature, Sheriff or Process Server

Dated: _____

Form No. 41: AFFIDAVIT FOR FORECLOSURE OF SECURED INTEREST

File Stamp Date _____
Case Number _____

Prepared by:
Filer's name, SC#
Filer's address
Filer's phone number
{Filer's fax phone number}
{Filer's e-mail address}
Attorney for Plaintiff

In The District Court of _____ County, Kansas

Plaintiff's name Plaintiff

vs.

Case No. _____

Defendant's name Defendant
Defendant's address
{Defendant's SSN/TIN}

Pursuant to Chapter 61 of
Kansas Statutes Annotated

AFFIDAVIT FOR FORECLOSURE OF SECURED INTEREST

_____, being duly sworn, says that he or she is the plaintiff (or an agent for the corporate plaintiff) in the above-entitled action; that the plaintiff is the holder of an instrument of indebtedness, a copy of which is attached hereto and made a part hereof (or the terms of which are as follows); that the claim of the plaintiff is based on a security agreement, a copy of which is attached hereto and made a part hereof (or the terms of which are as follows); that the amount of indebtedness owed by the defendant to the plaintiff at this time is \$_____ ; that the plaintiff is lawfully entitled to the foreclosure of his or her security interest in the following-described personal property; that said personal property is wrongfully detained by the defendant; and that said personal property, together with the estimated value of each article, is described as follows; to wit:

Description of Property	Estimated Value
_____	\$ _____
_____	\$ _____
all of the aggregate value of	\$ _____

Pursuant to K.S.A. 53-601, as amended, I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED on _____, _____.

Signature

Form No. 42: ORDER TO TAKE POSSESSION OF PERSONAL PROPERTY AND RETURN

File Stamp Date _____
Case Number _____

Prepared by:
Filer's name, SC#
Filer's address
Filer's phone number
{Filer's fax phone number}
{Filer's e-mail address}
Attorney for Plaintiff

In The District Court of _____ County, Kansas

Plaintiff's name Plaintiff

vs.

Case No. _____

Defendant's name Defendant
Defendant's address
{Defendant's SSN/TIN}

Pursuant to Chapter 61 of
Kansas Statutes Annotated

ORDER TO TAKE POSSESSION OF PERSONAL PROPERTY

To the Sheriff or other Process Server:

WHEREAS, the above-named plaintiff has commenced an action in this court against the above-named defendant for foreclosure of the plaintiff's security interest in certain personal property and has filed the plaintiff's affidavit and bond, as required by law, to obtain an order that such personal property be immediately taken into your possession and kept by you until further order of the court;

You are therefore commanded to take immediate possession of the following described personal property and deliver it to such plaintiff unless you receive a redelivery bond from the defendant. The description and estimated value of each article you are to take into possession is as follows: (State description and value of each item as alleged in the plaintiff's affidavit.)

You shall also serve a copy of this order on the defendant in the same manner as the service of summons and make your return within ____ days of the date hereof.

Signature, Judge

Dated: _____

RETURN ON ORDER

(MANNER OF EXECUTION)

On _____, _____, at ____ o'clock, __M., I received this order and executed the same as follows:

- (1) Property Taken Into Possession. On _____, _____, I took into possession the following articles of personal property, to wit: _____.
- (2) Property in Possession of Officer. The property listed and itemized above is held in my possession subject to the further order of the court.
- (3) Redelivery Bond Received. On _____, _____, I received from the defendant, with _____ as surety thereon, a bond in the amount of \$____, double the amount of the estimated value of the articles taken, and I returned the above-described articles of personal property to the defendant. Such bond has been by me determined to be sufficient and is herewith filed with the court.

(4) Property Not Found. I attempted to execute this order, but was unable to locate any of the articles of personal property described in the order within this county.

(The officer should delete or omit those portions not applicable to the manner of executing this order.)

(MANNER OF SERVICE ON DEFENDANTS)

I hereby certify that I served a copy of this order on the defendant at the time and in the manner following, to wit: _____.

I was unable to locate the following defendant _____ within this county.

Signature, Sheriff or Process Server

Dated: _____

RETURN

On _____, _____, ____ o'clock ____M., received this writ.

On _____, _____, ____ o'clock ____M., levied on the non-exempt personal property of _____, described in the following schedules.

On _____, _____, advertised the same for sale.

On _____, _____, sold the following items of personal property at prices indicated, and the moneys received from such sale are herewith delivered to the court.

_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____

Total received \$ _____

The following goods remain unsold _____ for want of bidders.

Signature and Title of Officer

PART H: MISCELLANEOUS

Form No. 45: TRANSCRIPT OF JUDGMENT

File Stamp Date
Case Number _____

Prepared by:
Filer's name, SC#
Filer's address
Filer's phone number
{Filer's fax phone number}
{Filer's e-mail address}
Attorney for Plaintiff

In The District Court of _____ County, Kansas

Plaintiff's name Plaintiff

vs.

Case No. _____

Defendant's name Defendant

Defendant's address
{Defendant's SSN/TIN}

Pursuant to Chapter 61 of
Kansas Statutes Annotated

TRANSCRIPT OF JUDGMENT

This is to certify, that in the District Court of _____ County, Kansas, in case No. _____, on the ____ day of _____, _____, judgment was rendered in the above entitled action in favor of _____, plaintiff (or defendant), against _____, defendant (or plaintiff) pursuant to the code of civil procedure for limited actions, as follows, to wit:

In the principal amount of \$ _____
Interest to the date of judgment \$ _____
And court costs accrued to this date \$ _____

Total amount \$ _____
and that said principal amount is to bear interest at _____ until paid.

I further certify that to date there has been received by this court from or on behalf of said judgment debtor, to be applied to the judgment, the sum of \$_____.

I further certify that this court has received deposits as security for costs as follows, to wit:

From the plaintiff the sum of \$ _____
From the defendant the sum of \$ _____

For a total cost deposits of \$ _____

The following were attorneys of record in this action:
For the plaintiff
For the defendant

Signature, Clerk of the Court

Dated: _____

Form No. 46: TRANSCRIPT OF PROCEEDINGS

File Stamp Date _____
 Case Number _____

Prepared by:
 Filer's name, SC#
 Filer's address
 Filer's phone number
 {Filer's fax phone number}
 {Filer's e-mail address}
 Attorney for Plaintiff

In The District Court of _____ County, Kansas

Plaintiff's name Plaintiff

vs.

Case No. _____

Defendant's name Defendant
 Defendant's address
 {Defendant's SSN/TIN}

Pursuant to Chapter 61 of
 Kansas Statutes Annotated

TRANSCRIPT OF PROCEEDINGS

WHEREAS, the above entitled action commenced pursuant to the code of civil procedure for limited actions, being case number _____ in the District Court of _____ County, Kansas, has been appealed from said court to (or, has been ordered transferred and consolidated pursuant to statute with an action commenced in the district court pursuant to chapter 60 of the Kansas Statutes Annotated which action is now pending in said district court) (or, wherein a district magistrate judge has entered a finding that title to real estate is sought to be recovered or an interest in real estate is sought to be established and has ordered that all papers and process herein be transmitted pursuant to statute).

This is to certify that attached hereto are all papers and process filed in the action pursuant to the code of civil procedure for limited actions, that court costs have accrued in this court to this date in the sum of \$_____, and that this court has received deposits as security for costs as follows, to wit:

From the plaintiff the sum of	\$ _____
From the defendant the sum of	\$ _____
Total costs deposits	\$ _____

 Signature, Clerk of the Court

Dated: _____

Form No. 47: SATISFACTION OF JUDGMENT

File Stamp Date
Case Number _____

Prepared by:
Filer's name, SC#
Filer's address
Filer's phone number
{Filer's fax phone number}
{Filer's e-mail address}
Attorney for Plaintiff

In The District Court of _____ County, Kansas

Plaintiff's name Plaintiff

vs.

Case No. _____

Defendant's name Defendant
Defendant's address
{Defendant's SSN/TIN}

Pursuant to Chapter 61 of
Kansas Statutes Annotated

SATISFACTION OF JUDGMENT

The judgment in this matter is fully satisfied as to the following party(ies): _____
_____.

Judgment Creditor or Attorney Signature
SC #

Form No. 48: NOTICE OF DISMISSAL

File Stamp Date
Case Number _____

Prepared by:
Filer's name, SC#
Filer's address
Filer's phone number
{Filer's fax phone number}
{Filer's e-mail address}
Attorney for Plaintiff

In The District Court of _____ County, Kansas

Plaintiff's name Plaintiff

vs.

Case No. _____

Defendant's name Defendant
Defendant's address
{Defendant's SSN/TIN}

Pursuant to Chapter 61 of
Kansas Statutes Annotated

NOTICE OF DISMISSAL

Plaintiff, showing that defendant(s) has not filed a responsive pleading or motion for summary judgment, hereby dismisses this action with/without prejudice as to the following defendant(s): _____.

Signature

Form No. 49: JOURNAL ENTRY OF DISMISSAL

File Stamp Date
Case Number _____

Prepared by:
Filer's name, SC#
Filer's address
Filer's phone number
{Filer's fax phone number}
{Filer's e-mail address}
Attorney for Plaintiff

In The District Court of _____ County, Kansas

Plaintiff's name Plaintiff

vs.

Case No. _____

Defendant's name Defendant
Defendant's address
{Defendant's SSN/TIN}

Pursuant to Chapter 61 of
Kansas Statutes Annotated

JOURNAL ENTRY OF DISMISSAL

For cause shown, the court hereby dismisses this action with/without prejudice as to the following defendant(s): _____.

Signature, Judge

