

Approved March 29, 1990
Date

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY

The meeting was called to order by Senator Wint Winter, Jr. at
Chairperson

10:00 a.m. on February 21, 1990 in room 514-S of the Capitol.

All members were present except: Senator Feleciano who was excused.

Committee staff present:

Mike Heim, Legislative Research Department
Jerry Donaldson, Legislative Research Department
Jill Wolters, Office of Revisor of Statutes
Judy Crapser, Secretary to the Committee

Conferees appearing before the committee:

Senator James Francisco
Senator David Kerr
Jack Daniels, Montgomery County Sheriff
Cliff Hacker, Lyon County Sheriff
Janet Lee, Elk County Sheriff
Harris Terry, McPherson County Sheriff
Paul sHelby, Office of Judicial Administration
Jamie Corkhill, Child Support Enforcement Attorney, Kansas Social and Rehabilitation Services
Walt Scott, Associated Credit Bureaus of Kansas
Tim Owens, Chief Legal Counsel, Kansas Department of Social and Rehabilitation Services
Joan Strickler, Kansas Advocacy and Protective Services, Inc.

The Chairman opened the meeting by announcing that the committee will hold additional meetings this week and next. Thursday, February 22 the committee will meet at the regular time and place, **and** on adjournment of the Senate in Room 254-E. Friday, February 23, the committee is scheduled to meet on adjournment of the Senate until 11:00 a.m. in Room 514-S. In addition, the committee will have scheduled additional meetings at noon and on adjournment of the Senate during the week of February 26 through March 2. Wednesday, February 28, will be scheduled for Subcommittee work.

Senator Morris moved to approve the minutes of January 31, February 5, February 6, and February 7. Senator Oleen seconded the motion. The motion carried.

The Chairman opened the hearing for SB 615.

SB 615 - concerning courts; relating to district courts; qualifications of judges.

Senator James Francisco testified in support of SB 615. He stated that under present law there are no requirements for judges to have experience in the courtroom. He stated his opinion that judges should have experience in a courtroom and have presented cases prior to being appointed to the bench. He added that this bill address court overcrowding and congestion and would eliminate the two-year time lag that it currently takes to get new judges in place, expediting the process. When asked by committee members if there had been any difficulties experienced in the courts due to a lack of courtroom experience, Senator Francisco responded he was not aware of any.

As no other conferees appeared, this concluded the hearing for SB 615.

The Chairman opened the hearing for SB 620.

SB 620 - concerning civil procedure; relating to service of summons and petition; providing for fees therefor.

Senator David Kerr presented SB 620 and explained that passage of the bill would allow for the payment of fees by the source of the summons and petitions thereby relieving the taxpayers from paying the bill for Sheriffs to serve the papers.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY,
room 514-S, Statehouse, at 10:00 a.m./~~p.m.~~ on February 21, 1990

Jack Daniels, Montgomery County Sheriff, testified in support of SB 620. (ATTACHMENT I)

Cliff Hacker, Lyon County Sheriff and Legislative Chairman for the Kansas Sheriff's Association, testified in support of SB 620 and presented the committee with copies of summons examples as illustrative of the problems faced by county sheriffs. (ATTACHMENTS II through XXII)

Janet Lee, Elk County Sheriff, testified in support of SB 620 by restating the comments of the previous conferees. She added that most of the summons served by her office are originated from outside of her county.

Harris Terry, McPherson County Sheriff, testified in support of SB 620. He stated that the quantity of summons in his county required one full-time person and one vehicle. The cost is great enough that it requires his office to have to choose between serving summons and doing police work.

In response to questioning by the committee, the Sheriffs stated that most of the summons were related to bill collecting. The Sheriffs also stated that they were not attempting to limit the services required of them but wanted to illustrate how some of the services were very expensive and took away from more critical services. They also expressed their support of SB 321, service of process by mail for limited action. They stated that the combination of SB 620 and SB 321 would allow their departments to better serve the public.

Paul Shelby, Office of Judicial Administration, testified in opposition of SB 620 and offered suggestions to address the problems related by the County Sheriffs. (ATTACHMENT XXIII) Mr. Shelby added that his office did not have any problems with SB 321.

The Chairman announced that SB 321 would be considered on Friday.

Jamie Corkhill, SRS Child Support Enforcement Attorney, testified in opposition of SB 620. (ATTACHMENT XXIV) Ms. Corkhill did offer the committee a suggested amendment if the bill is considered favorably. (ATTACHMENT XXV)

Walt Scott, Associated Credit Bureaus of Kansas, testified in support of SB 620. He stated that the practitioners do not object to the \$5.00 serving fee. He expressed to the committee that his clients feel the money is needed for the service of process, not in the general fund.

This concluded the hearing for SB 620.

The Chairman opened the hearing for SB 635.

SB 635 - concerning persons who may be mentally ill; procedure.

Tim Owens, SRS Chief Legal Counsel, testified in support of SB 635. He stated that this bill was requested to attempt to clarify the specific period of time a psychiatric commitment for treatment should last. Some courts are requiring a review hearing at specific time intervals; others are not. This causes confusion and uncertainty in the legal status of SRS clients.

This concluded the hearing for SB 635 as no other conferees appeared.

The Chairman opened the hearing for SB 640.

SB 640 - concerning guardians and wards; procedure to change treatment.

Tim Owens, SRS Chief Legal Counsel, testified in support of SB 640. He explained that the bill was requested to alleviate some of the court appearances required for a patient progressing through treatment, which only delays the progress in their treatments. Mr. Owens suggested the bill be amended on page 2, line 17, by adding "licensed" between "other" and "treatment"; also by amending on page 2, line 19, by adding "guardian or other interested party" after "ward" and before "shall".

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY,
room 514-S, Statehouse, at 10:00 a.m./~~p.m.~~ on February 21, 1990.

Joan Strickler, Kansas Advocacy and Protective Services, Inc. Executive Director,
testified in support of SB 640 with the proposed amendments. (ATTACHMENT XXVI)

This concluded the hearing for SB 640.

The Chairman assigned SB 635 and SB 640 to the Subcommittee chaired by Senator Parrish.

The meeting was adjourned.

GUEST LIST

COMMITTEE: SENATE JUDICIARY COMMITTEE

DATE: FEBRUARY 21, 1990

NAME (PLEASE PRINT)	ADDRESS	COMPANY/ORGANIZATION
KITA CHU	Leawood 3907 W 140 th Dr.	(Page)
Jenny Hill	Leawood 2715 W. B1 st	(Page)
Carrie Reecht	Leawood 12756 Granada	(Page)
KEITH R LANDIS	TOPEKA	CHRISTIAN SCIENCE COMM. on Publication For KS
Jim Clark	Topeka	KC DAA
David J. Poesch	Reserve, Ks.	Washburn University
N. J. Spint	Topeka	Judicial Council
Walt Mott	"	Assoc. Crab Bureau
BARBARA TERRY	McPherson	K. S. A.
Harris G. Terry	McPherson	Kansas Sheriff's Assoc.
CLIFFORD F. HACKER	EMPORIA	KANSAS SHERIFFS ASSOC
Janet J. Lee, Sheriff	Howard	Kansas Sheriff's Assoc.
Jack F. Daniels	Independence Ks	Kansas Sheriff's Assoc.
Jamie Corkhill	Topeka	SRS
John Struble	Manhattan	KAPS
John Struble	KS KS	ADP (COTE)
THOMAS C (Tim) Owens	TOPEKA	SRS
Chip Wheeler	Topeka	Ks Psychiatric Soc.
Anne Smith	Topeka	Ks. Assoc. of Counties
Matt Lynch	Topeka	Jud. Council
Bon Smith	"	Ks Bar Assoc.
John Van M...k	"	NOW
Helen Stephens	Topeka	KPOA

February 21, 1990

TESTIMONY OF SHERIFF JACK F. DANIELS
MONTGOMERY COUNTY, KANSAS
SENATE BILL NO. 620
February 21, 1990

I rise in support of Senate Bill Number 620 today because I feel it to be beneficial to law enforcement agencies, our court system, and to the Kansas taxpayer.

Montgomery County citizens are currently paying approximately \$45,000 annually for the sheriff's department to serve court related papers. These expenditures are directly related to labor and equipment costs incurred at the county government level and are paid for through property taxes. In gaining legislative approval of this measure the expense in delivering papers would be placed on those individuals or firms requesting the service.

I understand another legislative committee is considering a bill to reimburse law enforcement agencies on a mileage basis. I would encourage careful consideration of this bill in that the administrative costs associated with such a proposal would be prohibitive. Keeping track of mileage for each paper served would not only require additional staff but could also become quite a point of contention as to the actual mileage.

In closing, I would like to thank the Committee for their time and consideration of this measure. I would also ask that you give serious consideration to the limitless amount of paperwork generated by our legal system. Serving these documents consumes a great deal of time and budget authority which needs to be directed toward criminal investigation and prosecution.

I encourage your endorsement of Senate Bill 620. Let's put the responsibility for paying for these services on those utilizing them, not every taxpaying citizen.

Again, I thank you for your consideration and if the Committee has any questions I would be happy to address them.

TO: JUDICIARY COMMITTEE
FROM: Clifford F. Hacker, Sheriff of Lyon County
Legislative Chairman for the Kansas Sheriff's Association
DATE: February 21, 1990
RE: Senate Bill 620

We have requested Senate Bill 620

We have requested Senate Bill 620 be introduced in an attempt to help compensate Counties for the expenses involved in the service of civil process.

While other options are open to the Attorneys they continue to have Sheriff's Offices deliver summons and petitions because there is no costs involved for this service. Many of the Attorneys do not attempt to get current addresses or even use current addresses that were sent to them because they know the Sheriff's Offices will make a diligent effort to track down the persons to be served no matter what address is given.

The \$5.00 fee is not intended to prevent anyone from having summons and petitions served personally. Senate Bill 620 allows for indigent persons to have the fee waived. This fee is a users fee that would hopefully help offset expenses and in some cases encourage civil process by mail as an alternate means.

Attached are some examples of summons which have a value of under \$30.00 as examples of how it is at times more expensive for the Officers to serve than the value of the debt owed. We have had summons in the value of less than \$5.00 although there are no current examples. Also attached are some annual reports of civil papers received for Lyon County.

We appreciate your consideration of this bill.

LYON COUNTY SHERIFF'S DEPARTMENT

1989 Annual Report

CIVIL PAPERS RECEIVED

Subpoenas	7,076
Summons	5,184
Garnishments	1,029
Executions	251
Divorce	589
Transports	193
Warrants	592
Juvenile Summons	473
Care & Treatments	55
Criminal Summons	74

Total 15,516

Average per day
(305 days) 50.87

LYON COUNTY SHERIFF'S DEPARTMENT

1988 Annual Report

CIVIL PAPERS/WARRANTS SERVED

WARRANTS	693
SUBPOENAS	6,368
SUMMONS	4,180
GARNISHMENTS	1,678
EXECUTIONS	237
OTHER CIVIL PROCESS	2,626
TOTAL	15,782
Average Per Day (305 days)	51.74

TOTAL # OF CASES FILED 1988 1545

TOTAL # OF SHERIFF'S SALES 1988 50

LYON COUNTY SHERIFF'S DEPARTMENT

1987 Annual Report

CIVIL PAPERS/WARRANTS SERVED

WARRANTS	559
SUPEONAS	3,812
SUMMONS	2,886
GARNISHMENTS	1,221
EXECUTIONS	1,564
OTHER CIVIL PROCESS	627
TOTAL	10,669
Average per day (305 days)	34.98

LYON COUNTY SHERIFF'S DEPARTMENT

1986 Annual Report

CIVIL PAPERS/WARRANTS SERVED

WARRANTS	699
SUBPEONAS	4,580
SUMMONS	3,381
GARNISHMENTS	1,769
EXECUTIONS	1,357
OTHER CIVIL PROCESS	870
TOTAL	12,656
Average per day (305 days)	41.50

LYON COUNTY SHERIFF'S DEPARTMENT

1984 Annual Report

CIVIL PAPERS SERVED:

Subpeonas	1,142
Summons	2,733
Garnishments	5,095
Executions	213
Other Civil Process	<u>1,458</u>
TOTAL	10,641
Average per day (305 days)	34.88

LYON COUNTY SHERIFF'S DEPARTMENT

1985 Annual Report

CIVIL PAPERS SERVED:

Subpeonas	5,890
Summons	3,365
Garnishments	1,801
Executions	534
Other Civil Process	<u>1,467</u>
TOTAL	13,057
Average per day (305 days)	42.80

DISTRICT OF LYON COUNTY, KANSAS

MEDICAL ARTS CLINIC, P.A.,
Plaintiff/Petitioner

RECEIVED

1990 JAN 22 AM 8:54

vs.

[Redacted]
[Redacted]
[Redacted]
Defendant/Respondent

LYON COUNTY SHERIFF DEPT.
Ch. 60 In-State
Ch. 60 Out-State
Ch. 60 By-Mail
D. Ch. 61 In-State
E. _____ Ch. 61 Out-State
F. _____ Ch. 61 By-Mail

FOR CLERK'S USE ONLY
CASE NO. 89 L 1305

ALIAS SUMMONS

To the above-named Defendant/Respondent:

Jay W.

You are hereby notified that an action has been commenced against you in this court. You are required to file your answer to the petition with the court and to serve a copy upon plaintiff's/petitioner's attorney, at 304 BANK IV Building, P.O. Box 624, Emporia, KS 66801

- _____ A. within 20 days after service of summons upon you.
- _____ B. within 30 days after service of summons upon you.
- _____ C. within 30 days after the return of registered or certified mail receipt signed or refused by you.
- D. prior to the court's hearing set for 9:00 AM, on the 26th day of July, 1990, or you must be present at that time.
- _____ E. within 30 days after service of summons upon you or appear at _____ M, on the _____ day of _____, 19_____
- _____ F. within 30 days after the return of registered or certified mail receipt signed or refused by you, or appear at _____ M, on the _____ day of _____, 19_____

If you fail to do so, judgment by default will be taken against you for the relief demanded in the petition. Any related claim which you may have against the plaintiff/petitioner must be stated as a counterclaim in your answer, or you will thereafter be barred from making such claim in any other action.

Dated: Jan 19, 1990 By Beverly Williams CLERK OF THE DISTRICT COURT Deputy

TO THE SHERIFF OR PROCESS SERVER. This summons must be served by Feb 19, 1990 and your return made within 2 days thereafter.

RETURN OF SERVICE OF SUMMONS

I hereby certify that on the _____ day of _____, 19____ I served the foregoing summons, together with a copy of the petition, and _____

upon the defendant/respondent _____ by delivering to _____ Name (and relationship or title if not defendant/respondent)

at _____ Address

at _____ M, in the County of _____ State of _____

Personal Service Residential Service No Service Residence Service and Mailing. (By leaving a copy of the summons and a copy of the petition at the dwelling house or usual place of abode and mailing by first-class mail to each of the following defendants a notice that such copy has been so left _____

_____ on the _____ day of _____, 19____)

(Signature)

Sheriff or Process Server of _____ County, State of _____

B or E - Only

OUT OF STATE CLERK'S CERTIFICATE

Subscribed and sworn to before me this _____ day of _____, 19____, by above deputy, who I certify was at the date of such service and now is _____ of _____ County in the State of _____ and is authorized to serve process

in civil actions within said state and is an officer of the court of which I am the clerk.

Witness my hand and the seal of the _____ Court, within and for the County and State aforesaid.

Clerk

C or F - Only

CERTIFICATE OF MAILING

I hereby certify that on the _____ day of _____, 19____, I mailed a copy of this summons and a copy of the petition to each of the following defendants/respondents _____

by registered or certified mail, requesting a return receipt signed by the addressee only, addressed to each of said defendant(s)/respondent(s) at the address furnished by the plaintiff/petitioner.

CLERK DISTRICT COURT

Dated _____ By _____ Deputy

2-21-90
PAGE 1 OF 2
ATTACHMENT IV

IN THE DISTRICT COURT OF LYON COUNTY, KANSAS

MEDICAL ARTS CLINIC, P.A.,

Plaintiff,

vs.

No. 8921305

[REDACTED]

Defendant(s)..

P E T I T I O N
(Pursuant to Chapter 61)

COMES NOW the Plaintiff and for its cause of action against the Defendant(s), and alleges and states:

1. That the Plaintiff is duly organized and authorized to do business under the laws of the State of Kansas.

2. That the Defendant(s) is/are (a) resident(s) of
Lyon County, Kansas, whose address is

[REDACTED]

3. That the Defendant(s) is/are heretofore indebted to the Plaintiff herein in the sum of \$ 26.00 on account for goods and/or services provided by the Plaintiff herein at the Defendant's(s') request.

4. That there is now due and owing to Plaintiff by Defendant(s), the above-stated sum together with legal interest at the maximum legal rate.

WHEREFORE, Plaintiff prays for judgment against the Defendant(s) in the amount of \$ 26.00 together with legal interest at the maximum legal rate, and the costs and disbursements of this action.

ATHERTON & VANDER VELDE
304 BANK IV Building
P.O. Box 624
Emporia, Kansas 66801
(316) 342-1272

Original Signed By

JAY W. VANDER VELDE

By Jay W. Vander Velde
Attorneys for Plaintiff

ATTEST: Jessie S. Sumner
Clerk of District Court
Lyon County, Kansas

DISTRICT COURT OF Lyon COUNTY, KANSAS

MEDICAL ARTS CLINIC, P.A.,
Plaintiff/Petitioner

RECEIVED

vs.

1990 FEB -6 PM 1:40

~~_____~~
~~_____~~

LYON COUNTY
SHERIFF DEPT

Defendant/Respondent

A. Ch. 60 In-State
B. Ch. 60 Out-State
C. Ch. 60 By Mail
D. Ch. 61 In-State
E. Ch. 61 Out-State
F. Ch. 61 By Mail

Emporia, KS 66801

FOR CLERK'S USE ONLY
CASE NO. 89 L 1361

SUMMONS

ALIAS

To the above-named Defendant/Respondent: ~~_____~~

Jay W.

Vander Velde

You are hereby notified that an action has been commenced against you in this court. You are required to file your answer to the petition with the court and to serve a copy upon plaintiff's/petitioner's attorney, at 304 BANK IV Building, P.O. Box 624, Emporia, KS 66801

- A. within 20 days after service of summons upon you.
- B. within 30 days after service of summons upon you.
- C. within 30 days after the return of registered or certified mail receipt signed or refused by you.
- D. prior to the court's hearing set for 9:00 a.m. on the 12th day of March, 1990, or you must be present at that time.
- E. within 30 days after service of summons upon you or appear at _____ M. on the _____ day of _____, 19____.
- F. within 30 days after the return of registered or certified mail receipt signed or refused by you, or appear at _____ M. on the _____ day of _____, 19____.

If you fail to do so, judgment by default will be taken against you for the relief demanded in the petition. Any related claim which you may have against the plaintiff/petitioner must be stated as a counterclaim in your answer, or you will thereafter be barred from making such claim in any other action.

Dated: 2-6-90 By Verna Lee Bold Deputy
CLERK OF THE DISTRICT COURT

TO THE SHERIFF OR PROCESS SERVER. This summons must be served by March 2, 1990 and your return made within 2 days thereafter.

RETURN OF SERVICE OF SUMMONS

I hereby certify that on the _____ day of _____, 19____ I served the foregoing summons, together with a copy of the petition, and _____

upon the defendant/respondent _____ by delivering to _____
Name (and relationship or title if not defendant/respondent)

at _____ Address

at _____ M. in the County of _____ State of _____

Personal Service Residential Service No Service Residence Service and Mailing. (By leaving a copy of the summons and a copy of the petition at the dwelling house or usual place of abode and mailing by first-class mail to each of the following defendants a notice that such copy has been so left _____

_____ on the _____ day of _____, 19____.)

(Signature)
Sheriff or Process Server of _____ County, State of _____

B or E - Only

OUT OF STATE CLERK'S CERTIFICATE

Subscribed and sworn to before me this _____ day of _____, 19____, by above deputy, who I certify was at the date of such service and now is _____ of _____ County in the State of _____ and is authorized to serve process

in civil actions within said state and is an officer of the court of which I am the clerk.

Witness my hand and the seal of the _____ Court, within and for the County and State aforesaid.

Clerk

C or F - Only

CERTIFICATE OF MAILING

I hereby certify that on the _____ day of _____, 19____, I mailed a copy of this summons and a copy of the petition to each of the following defendants/respondents _____

by registered or certified mail, requesting a return receipt signed by the addressee only, addressed to each of said defendant(s)/respondent(s) at the address furnished by the plaintiff/petitioner.

CLERK DISTRICT COURT
Dated _____ By _____ Deputy

2-21-90
PAGE 1 OF 2
ATTACHMENT V

IN THE DISTRICT COURT OF LYON COUNTY, KANSAS

MEDICAL ARTS CLINIC, P.A.,

Plaintiff,

vs.

No. 89L1361

~~_____~~

Defendant(s).

P E T I T I O N
(Pursuant to Chapter 61)

COMES NOW the Plaintiff and for its cause of action against the Defendant(s), and alleges and states:

1. That the Plaintiff is duly organized and authorized to do business under the laws of the State of Kansas.

2. That the Defendant(s) is/are (a) resident(s) of ~~_____~~ County, Kansas, whose address is ~~_____~~ _____ KS 66839.

3. That the Defendant(s) is/are heretofore indebted to the Plaintiff herein in the sum of \$ 26.00 on account for goods and/or services provided by the Plaintiff herein at the Defendant's(s') request.

4. That there is now due and owing to Plaintiff by Defendant(s), the above-stated sum together with legal interest at the maximum legal rate.

WHEREFORE, Plaintiff prays for judgment against the Defendant(s) in the amount of \$ 26.00 together with legal interest at the maximum legal rate, and the costs and disbursements of this action.

ATHERTON & VANDER VELDE
304 BANK IV Building
P.O. Box 624
Emporia, Kansas 66801
(316) 342-1277

Original Signed By
By JAY W. VANDER VELDE
Jay W. Vander Velde
Attorneys for Plaintiff

A TRUE COPY

ATTEST: Jeanne S. Turner
Clerk of District Court
Lyon County, Kansas

DISTR. OF LYON COUNTY, KANSAS

CITY OF EMPORIA, KANSAS

Plaintiff/Petitioner

vs.

Defendant/Respondent

RECEIVED

1990 JAN 11 AM 9:02

- A. ___ Ch. 60 In-State
- B. ___ Ch. 60 Out-State
- C. ___ Ch. 60 By Mail
- D. Ch. 61 In-State
- E. ___ Ch. 61 Out-State
- F. ___ Ch. 61 By Mail

LYON COUNTY SHERIFF DEPT.

FOR CLERK'S USE ONLY

CASE NO. 89 L 1425

ALIAS SUMMONS

To the above-named Defendant/Respondent:

You are hereby notified that an action has been commenced against you in this court. You are required to file your answer to the petition with the court and to serve a copy upon Dale W. Bell plaintiff's/petitioner's attorney, at 519 Commercial, P.O. Box 921, Emporia, KS 66801

- ___ A. within 20 days after service of summons upon you.
- ___ B. within 30 days after service of summons upon you.
- ___ C. within 30 days after the return of registered or certified mail receipt signed or refused by you.
- D. prior to the court's hearing set for 9:00 a.m. on the 12th day of February, 1990, or you must be present at that time.
- ___ E. within 30 days after service of summons upon you or appear at ___ M. on the ___ day of ___ 19__.
- ___ F. within 30 days after the return of registered or certified mail receipt signed or refused by you, or appear at ___ M. on the ___ day of ___ 19__.

If you fail to do so, judgment by default will be taken against you for the relief demanded in the petition. Any related claim which you may have against the plaintiff/petitioner must be stated as a counterclaim in your answer, or you will thereafter be barred from making such claim in any other action.

Dated: 1-10-90

By Verna Lee Rold Deputy CLERK OF THE DISTRICT COURT

TO THE SHERIFF OR PROCESS SERVER. This summons must be served by Feb. 2, 1990 and your return made within 2 days thereafter.

RETURN OF SERVICE OF SUMMONS

I hereby certify that on the ___ day of ___ 19__ I served the foregoing summons, together with a copy of the petition, and ___

upon the defendant/respondent ___ by delivering to ___ Name (and relationship or title if not defendant/respondent)

at ___ Address

at ___ M. in the County of ___ State of ___

Personal Service Residential Service No Service Residence Service and Mailing. (By leaving a copy of the summons and a copy of the petition at the dwelling house or usual place of abode and mailing by first-class mail to each of the following defendants a notice that such copy has been so left

___ on the ___ day of ___ 19__)

(Signature)

Sheriff or Process Server of ___ County, State of ___

B or E - Only

OUT OF STATE CLERK'S CERTIFICATE

Subscribed and sworn to before me this ___ day of ___ 19__ by above deputy, who I certify was at the date of such service and now is ___ of ___ County in the State of ___ and is authorized to serve process in civil actions within said state and is an officer of the court of which I am the clerk.

Witness my hand and the seal of the ___ Court, within and for the County and State aforesaid.

Clerk

C or F - Only

CERTIFICATE OF MAILING

I hereby certify that on the ___ day of ___ 19__ I mailed a copy of this summons and a copy of the petition to each of the following defendants/respondents ___

by registered or certified mail, requesting a return receipt signed by the addressee only, addressed to each of said defendant(s)/respondent(s) at the address furnished by the plaintiff/petitioner.

CLERK DISTRICT COURT

Dated ___

By ___ Deputy

2-21-90 PAGE 1 OF 2 ATTACHMENT VI

FILED
 LYON COUNTY
 DISTRICT COURT

RECEIVED

NOV 15 1989

1989 NOV 14 PM 4:55
 CLERK OF THE
 DISTRICT COURT

IN THE DISTRICT COURT OF LYON COUNTY, KANSAS

THE CITY OF EMPORIA, KANSAS,)
)
 Plaintiff,)
)
 vs.)
)
)
)
)
 Defendant.)

No. 89 L 1425

Petition

(Filed Pursuant to K.S.A. Chapter 61)

COMES NOW the Plaintiff, The City of Emporia, Kansas, and for its cause of action against the Defendant alleges and states:

1. That Plaintiff is a corporation organized and authorized to do business under the laws of the State of Kansas, and does business at 522 Mechanic, Emporia, Kansas.
2. That Defendant may be served with summons and a copy of this Petition at 902 Sylvan #1, Emporia, Lyon County, Kansas.
3. That heretofore Defendant is indebted to Plaintiff in the amount of \$15.25 for unpaid water bills.
4. That repeated demands have been made upon the Defendant, but that Defendant has failed and refused to pay the same.

WHEREFORE, Plaintiff prays for judgment against the Defendant in the amount of \$15.25 plus interest as allowed by law from and after the date of judgment, and for the costs and disbursements of this action.

ELBERT, BELL & SMITH,
 CHARTERED ATTORNEYS AT LAW

EMPORIA OFFICE
 18 COMMERCIAL STREET
 P.O. BOX 921
 EMPORIA, KS 66801
 316-343-6600

BURLINGTON OFFICE
 511 NEOSHO STREET
 BURLINGTON, KS 66839
 316-364-8825
 FAX 364-2840

HELBERT, BELL & SMITH,
 Chartered
 By: _____

A TRUE COPY

ATTEST: *Jeanne S. Turner*
 Clerk of District Court
 Lyon County, Kansas

DALE W. BELL
 Attorneys for Plaintiff

DISTRICT OF LYON COUNTY, KANSAS

MEDICAL ARTS CLINIC, P.A.,
Plaintiff/Petitioner

RECEIVED

1990 JAN 22 AM 8:54

LYON COUNTY
SHERIFF DEPT

Emporia, KS 66801
Defendant/Respondent

Ch. 60 In-State
Ch. 60 Out-State
Ch. 61 By Mail
D. X Ch. 61 In-State
E. Ch. 61 Out-State
F. Ch. 61 By Mail

FOR CLERK'S USE ONLY

CASE NO. 89 L 1587

A L I A S SUMMONS

To the above-named Defendant/Respondent: ~~XXXXXXXXXX~~

Jay W.

You are hereby notified that an action has been commenced against you in this court. You are required to file your answer to the petition with the court and to serve a copy upon Vander Velde plaintiff's/petitioner's attorney, at 304 BANK IV Building, P.O. Box 624, Emporia, KS 66801

- A. within 20 days after service of summons upon you.
- B. within 30 days after service of summons upon you.
- C. within 30 days after the return of registered or certified mail receipt signed or refused by you.
- D. prior to the court's hearing set for 9:00 AM, on the 26th day of Feb, 1990, or you must be present at that time.
- E. within 30 days after service of summons upon you or appear at _____ M, on the _____ day of _____, 19____.
- F. within 30 days after the return of registered or certified mail receipt signed or refused by you, or appear at _____ M, on the _____ day of _____, 19____.

If you fail to do so, judgment by default will be taken against you for the relief demanded in the petition. Any related claim which you may have against the plaintiff/petitioner must be stated as a counterclaim in your answer, or you will thereafter be barred from making such claim in any other action.

Dated: Jan 19, 1990 By Beverly Williams Deputy
CLERK OF THE DISTRICT COURT

TO THE SHERIFF OR PROCESS SERVER. This summons must be served by Feb 19, 1990 and your return made within 2 days thereafter.

RETURN OF SERVICE OF SUMMONS

I hereby certify that on the _____ day of _____, 19____ I served the foregoing summons, together with a copy of the petition, and _____

upon the defendant/respondent _____ by delivering to _____
Name (and relationship or title if not defendant/respondent)

at _____
Address

at _____ M, in the County of _____ State of _____

Personal Service Residential Service No Service Residence Service and Mailing. (By leaving a copy of the summons and a copy of the petition at the dwelling house or usual place of abode and mailing by first-class mail to each of the following defendants a notice that such copy has been so left _____ on the _____ day of _____, 19____.)

(Signature)

Sheriff or Process Server of _____ County, State of _____

B or E - Only

OUT OF STATE CLERK'S CERTIFICATE

Subscribed and sworn to before me this _____ day of _____, 19____, by above deputy, who I certify was at the date of such service and now is _____ of _____ County in the State of _____ and is authorized to serve process

in civil actions within said state and is an officer of the court of which I am the clerk.

Witness my hand and the seal of the _____ Court, within and for the County and State aforesaid.

Clerk

C or F - Only

CERTIFICATE OF MAILING

I hereby certify that on the _____ day of _____, 19____, I mailed a copy of this summons and a copy of the petition to each of the following defendants/respondents _____

by registered or certified mail, requesting a return receipt signed by the addressee only, addressed to each of said defendant(s)/respondent(s) at the address furnished by the plaintiff/petitioner.

CLERK DISTRICT COURT

Dated _____

By _____ Deputy

IN THE DISTRICT COURT OF LYON COUNTY, KANSAS

MEDICAL ARTS CLINIC, P.A.,

Plaintiff,

vs.

No. 89-1587

~~_____~~

Defendant(s).

P E T I T I O N
(Pursuant to Chapter 61)

COMES NOW the Plaintiff and for its cause of action against the Defendant(s), and alleges and states:

1. That the Plaintiff is duly organized and authorized to do business under the laws of the State of Kansas.

2. That the Defendant(s) is/are (a) resident(s) of Lyon County, Kansas, whose address is ~~_____~~ Emporia, KS 66801

3. That the Defendant(s) is/are heretofore indebted to the Plaintiff herein in the sum of \$ 25.00 on account for goods and/or services provided by the Plaintiff herein at the Defendant's(s') request.

4. That there is now due and owing to Plaintiff by Defendant(s), the above-stated sum together with legal interest at the maximum legal rate.

WHEREFORE, Plaintiff prays for judgment against the Defendant(s) in the amount of \$ 25.00 together with legal interest at the maximum legal rate, and the costs and disbursements of this action.

ATHERTON & VANDER VELDE
504 BANK IV Building
P.O. Box 624
Emporia, Kansas 66801
(316) 342-1277

Original Signed By
JAY W. VANDER VELDE

By Jay W. Vander Velde
Attorneys for Plaintiff

A TRUE COPY

ATTEST: Jessie J. Turner
Clerk of District Court
Lyon County, Kansas

DISTRICT OF Lyon COUNTY, KANSAS

MEDICAL ARTS CLINIC, P.A.,
Plaintiff/Petitioner

RECEIVED

1990 JAN 22 AM 8:57

vs.

[REDACTED]

LYON COUNTY
SHERIFF DEPT.
Ch. 60 In-State
Ch. 60 Out-State
Ch. 60 By Mail

[REDACTED]

Defendant/Respondent

D. Ch. 61 In-State
E. _____ Ch. 61 Out-State
F. _____ Ch. 61 By Mail

Emporia, KS 66801

FOR CLERK'S USE ONLY

CASE NO. 90 L 66

SUMMONS

To the above-named Defendant/Respondent:

Jay W.

You are hereby notified that an action has been commenced against you in this court. You are required to file your answer to the petition with the court and to serve a copy upon Vander Velde plaintiff's/petitioner's attorney, at 304 BANK IV Building, P.O. Box 624, Emporia, KS 66801

- _____ A. within 20 days after service of summons upon you.
- _____ B. within 30 days after service of summons upon you.
- _____ C. within 30 days after the return of registered or certified mail receipt signed or refused by you.
- D. prior to the court's hearing set for 9:00 A.M. on the 5th day of March, 1990, or you must be present at that time.
- _____ E. within 30 days after service of summons upon you or appear at _____ M. on the _____ day of _____, 19_____
- _____ F. within 30 days after the return of registered or certified mail receipt signed or refused by you, or appear at _____ M. on the _____ day of _____, 19_____

If you fail to do so, judgment by default will be taken against you for the relief demanded in the petition. Any related claim which you may have against the plaintiff/petitioner must be stated as a counterclaim in your answer, or you will thereafter be barred from making such claim in any other action.

Dated: 1-22-90

CLERK OF THE DISTRICT COURT

By Deanne S. Turney Deputy

TO THE SHERIFF OR PROCESS SERVER. This summons must be served by 2-24-90 and your return made within 2 days thereafter.

RETURN OF SERVICE OF SUMMONS

I hereby certify that on the _____ day of _____, 19____ I served the foregoing summons, together with a copy of the petition, and _____

upon the defendant/respondent _____ by delivering to _____
Name (and relationship or title if not defendant/respondent)

at _____
Address

at _____ M. in the County of _____ State of _____

Personal Service Residential Service No Service Residence Service and Mailing. (By leaving a copy of the summons and a copy of the petition at the dwelling house or usual place of abode and mailing by first-class mail to each of the following defendants a notice that such copy has been so left _____

_____ on the _____ day of _____, 19____.)

(Signature)

Sheriff or Process Server of _____ County, State of _____

B or E - Only

OUT OF STATE CLERK'S CERTIFICATE

Subscribed and sworn to before me this _____ day of _____, 19____, by above deputy, who I certify was at the date of such service and now is _____ of _____ County in the State of _____ and is authorized to serve process

in civil actions within said state and is an officer of the court of which I am the clerk.

Witness my hand and the seal of the _____ Court, within and for the County and State aforesaid.

Clerk

C or F - Only

CERTIFICATE OF MAILING

I hereby certify that on the _____ day of _____, 19____, I mailed a copy of this summons and a copy of the petition to each of the following defendants/respondents _____

by registered or certified mail, requesting a return receipt signed by the addressee only, addressed to each of said defendant(s)/respondent(s) at the address furnished by the plaintiff/petitioner.

CLERK DISTRICT COURT

Dated _____

By _____ Deputy

2-21-90
PAGE 1 OF 3
ATTACHMENT VIII

FILED
LYON COUNTY
DISTRICT COURT

1990 JAN 19 PM 12: 15

IN THE DISTRICT COURT OF LYON COUNTY, KANSAS
CLERK OF THE
DISTRICT COURT

MEDICAL ARTS CLINIC, P.A.,

Plaintiff,

vs.

No. 90L66

Defendant(s).

P E T I T I O N
(Pursuant to Chapter 61)

COMES NOW the plaintiff and for its cause of action against the defendant(s), and alleges and states:

1. That the plaintiff is duly organized and authorized to do business under the laws of the State of Kansas.

2. That the defendant(s) is/are (a) resident(s) of

Lyon County, Kansas, whose address is

~~_____~~ Emporia, KS 66801.

3. That the defendant(s) is/are heretofore indebted to the plaintiff herein in the sum of \$ 28.00 on account for goods and/or services provided by the plaintiff herein at the defendant's(s') request.

4. That there is now due and owing to plaintiff by defendant(s), the above-stated sum together with legal interest at the maximum legal rate.

WHEREFORE, plaintiff prays for judgment against the defendant(s) in the amount of \$ 28.00 together with legal interest at the maximum legal rate, and the costs and disbursements of this action.

ATHERTON & VANDER VELDE
304 BANK IV Building
P.O. Box 624
Emporia, Kansas 66801
(316) 342-0356

Original Signed By
JAY W. VANDER VELDE

By Jay W. Vander Velde
Attorneys for Plaintiff

DISTRICT OF Lyon COUNTY, KANSAS

MEDICAL ARTS CLINIC, P.A.,
Plaintiff/Petitioner

vs.

[REDACTED]
[REDACTED]
Defendant/Respondent

Emporia, KS 66801

RECEIVED

1990 JAN 22 AM 8:56

A. Ch. 60 In-State
B. Ch. 60 Out-State
C. Ch. 60 By Mail
D. Ch. 61 In-State
E. Ch. 61 Out-State
F. Ch. 61 By Mail

LYON COUNTY
SHERIFF DEPT.

FOR CLERK'S USE ONLY

CASE NO. 90-286

SUMMONS

To the above-named Defendant/Respondent:

Jay W. Vander Velde

You are hereby notified that an action has been commenced against you in this court. You are required to file your answer to the petition with the court and to serve a copy upon plaintiff's/petitioner's attorney, at 304 BANK IV Building, P.O. Box 624, Emporia, KS 66801

- A. within 20 days after service of summons upon you.
- B. within 30 days after service of summons upon you.
- C. within 30 days after the return of registered or certified mail receipt signed or refused by you.
- D. prior to the court's hearing set for 9:00 A.M. on the 5th day of March, 1990 or you must be present at that time.
- E. within 30 days after service of summons upon you or appear at _____ M, on the _____ day of _____, 19____
- F. within 30 days after the return of registered or certified mail receipt signed or refused by you, or appear at _____ M, on the _____ day of _____, 19____

If you fail to do so, judgment by default will be taken against you for the relief demanded in the petition. Any related claim which you may have against the plaintiff/petitioner must be stated as a counterclaim in your answer, or you will thereafter be barred from making such claim in any other action.

Dated: 1-22-90

CLERK OF THE DISTRICT COURT

By Deanne S. Turner Deputy

TO THE SHERIFF OR PROCESS SERVER. This summons must be served by 2-24-90 and your return made within 2 days thereafter.

RETURN OF SERVICE OF SUMMONS

I hereby certify that on the _____ day of _____, 19____ I served the foregoing summons, together with a copy of the petition, and _____

upon the defendant/respondent _____ by delivering to _____
Name (and relationship or title if not defendant/respondent)

at _____ Address

at _____ M, in the County of _____ State of _____

Personal Service Residential Service No Service Residence Service and Mailing. (By leaving a copy of the summons and a copy of the petition at the dwelling house or usual place of abode and mailing by first-class mail to each of the following defendants a notice that such copy has been so left _____

_____ on the _____ day of _____, 19____.)

(Signature)

Sheriff or Process Server of _____ County, State of _____

B or E - Only

OUT OF STATE CLERK'S CERTIFICATE

Subscribed and sworn to before me this _____ day of _____, 19____, by above deputy, who I certify was at the date of such service and now is _____ of _____ County in the State of _____ and is authorized to serve process:

in civil actions within said state and is an officer of the court of which I am the clerk.

Witness my hand and the seal of the _____ Court, within and for the County and State aforesaid.

Clerk

C or F - Only

CERTIFICATE OF MAILING

I hereby certify that on the _____ day of _____, 19____, I mailed a copy of this summons and a copy of the petition to each of the following defendants/respondents _____

by registered or certified mail, requesting a return receipt signed by the addressee only, addressed to each of said defendant(s)/respondent(s) at the address furnished by the plaintiff/petitioner.

CLERK DISTRICT COURT

Dated _____

By _____ Deputy

FILED
LYON COUNTY
DISTRICT COURT

1990 JAN 19 PM 12: 21
KANSAS

CLERK OF THE
DISTRICT COURT
Plaintiff,

IN THE DISTRICT COURT OF LYON COUNTY,

MEDICAL ARTS CLINIC, P.A.,

vs.

No. 90286

Defendant(s).

P E T I T I O N
(Pursuant to Chapter 61)

COMES NOW the plaintiff and for its cause of action against the defendant(s), and alleges and states:

1. That the plaintiff is duly organized and authorized to do business under the laws of the State of Kansas.

2. That the defendant(s) is/are (a) resident(s) of

Lyons County, Kansas, whose address is

~~_____~~
3. That the defendant(s) is/are heretofore indebted to the plaintiff herein in the sum of \$ 28.00 on account for goods and/or services provided by the plaintiff herein at the defendant's(s') request.

4. That there is now due and owing to plaintiff by defendant(s), the above-stated sum together with legal interest at the maximum legal rate.

WHEREFORE, plaintiff prays for judgment against the defendant(s) in the amount of \$ 28.00 together with legal interest at the maximum legal rate, and the costs and disbursements of this action.

ATHERTON & VANDER VELDE
304 BANK IV Building
P.O. Box 624
Emporia, Kansas 66801
(316) 342-0356

Original Signed By
JAY W. VANDER VELDE

By _____
Jay W. Vander Velde
Attorneys for Plaintiff

DISTRICT C LYON COUNTY, KANSAS

EAST EMPORIA VETERINARY CLINIC, P.A.
Plaintiff/Petitioner

vs.

[Redacted]
[Redacted]
Defendant/Respondent

Emporia, KS 66801

RECEIVED

1990 JAN -2 AM 9:30

- A. Ch. 60 In-State
- B. Ch. 60 Out-State
- C. Ch. 60 By Mail
- D. Ch. 61 In-State
- E. Ch. 61 Out-State
- F. Ch. 61 By Mail

FOR CLERK'S USE ONLY

CASE NO. 89-L-1260

ALIAS SUMMONS

To the above-named Defendant/Respondent:

You are hereby notified that an action has been commenced against you in this court. You are required to file your answer to the petition with the court and to serve a copy upon Merlin G. Wheeler plaintiff's/petitioner's attorney, at Suite 308A, Bank IV Building, 527 Commercial, Emporia, KS 66801

- A. within 20 days after service of summons upon you.
- B. within 30 days after service of summons upon you.
- C. within 30 days after the return of registered or certified mail receipt signed or refused by you.
- D. prior to the court's hearing set for 9:00 a.m. on the 29th day of January, 1990, or you must be present at that time.
- E. within 30 days after service of summons upon you or appear at _____ M, on the _____ day of _____, 19____.
- F. within 30 days after the return of registered or certified mail receipt signed or refused by you, or appear at _____ M, on the _____ day of _____, 19____.

If you fail to do so, judgment by default will be taken against you for the relief demanded in the petition. Any related claim which you may have against the plaintiff/petitioner must be stated as a counterclaim in your answer, or you will thereafter be barred from making such claim in any other action.

Dated: 12-29-89 By Verna Lee Rodd Deputy
CLERK OF THE DISTRICT COURT

TO THE SHERIFF OR PROCESS SERVER. This summons must be served by Jan 19, 1990 and your return made within 2 days thereafter.

RETURN OF SERVICE OF SUMMONS

I hereby certify that on the _____ day of _____, 19____ I served the foregoing summons, together with a copy of the petition, and _____

upon the defendant/respondent _____ by delivering to _____
Name (and relationship or title if not defendant/respondent)

at _____ Address
at _____ M, in the County of _____ State of _____

Personal Service Residential Service No Service Residence Service and Mailing. (By leaving a copy of the summons and a copy of the petition at the dwelling house or usual place of abode and mailing by first-class mail to each of the following defendants a notice that such copy has been so left _____ on the _____ day of _____, 19____.)

(Signature)

Sheriff or Process Server of _____ County, State of _____

B or E - Only

OUT OF STATE CLERK'S CERTIFICATE

Subscribed and sworn to before me this _____ day of _____, 19____, by above deputy, who I certify was at the date of such service and now is _____ of _____ County in the State of _____ and is authorized to serve process in civil actions within said state and is an officer of the court of which I am the clerk.

Witness my hand and the seal of the _____ Court, within and for the County and State aforesaid.

Clerk

C or F - Only

CERTIFICATE OF MAILING

I hereby certify that on the _____ day of _____, 19____, I mailed a copy of this summons and a copy of the petition to each of the following defendants/respondents _____

by registered or certified mail, requesting a return receipt signed by the addressee only, addressed to each of said defendant(s)/respondent(s) at the address furnished by the plaintiff/petitioner.

CLERK DISTRICT COURT

Dated _____ By _____ Deputy

Service Copy

FILED
LYON COUNTY
DISTRICT COURT

89 OCT 23 PM 3:08

CLERK OF DISTRICT COURT

IN THE DISTRICT COURT OF LYON COUNTY, KANSAS

EAST EMPORIA VETERINARY CLINIC, P.A. Plaintiff,

vs. No. 89 11260

~~██████████~~ Defendant.

P E T I T I O N

(Filed Pursuant to K.S.A., Chapter 61)

COMES NOW the Plaintiff and for it's cause of action against the above named Defendant alleges and states to the Court as follows:

1. Plaintiff is a corporation duly authorized to do business in the State of Kansas with a correct business address of 602 Exchange, Emporia, Kansas 66801.
2. The Defendant may be served with summons at ~~██████████~~, Emporia, Kansas 66801.
3. That the Defendant is indebted to the Plaintiff in the sum of Twenty-Two Dollars and Fifty-Seven Cents (\$22.57) for services rendered by Plaintiff to Defendant.
4. That the Defendant has neglected and refused to pay said sum despite repeated requests therefore.

LIN G. WHEELER
CHARTERED
ORNEY AT LAW
BANK IV BUILDING
COMMERCIAL
EMPIRIA, KANSAS 66801
316) 343-3460

WHEREFORE, Plaintiff respectfully prays for judgment against the above named defendant in the amount of Twenty-Two Dollars and Fifty-Seven Cents (\$22.57) together with the costs of this action in the amount of Ten Dollars (\$10.00), and for interest thereon at the maximum lawful statutory rate from and after the date of judgment until paid in full, and for such other and further relief as the Court may deem just and equitable.

Merlin G. Wheeler
Supreme Court No. 9515
Suite 308A-Bank IV Bldg.
527 Commercial
Emporia, KS 66801
(316) 343-3460
Attorney for Plaintiff

A TRUE COPY

ATTEST: *Jessie S. Turner*
Clerk of District Court
Lyon County, Kansas

DISTRICT COURT OF LYON COUNTY, KANSAS

MEDICAL ARTS CLINIC, P.A., RECEIVED

CASE NO. 89 L 1305

1989 DEC 22 AM 8:47

FOR CLERK'S USE ONLY

vs.

LYON COUNTY SHERIFF DEPT.

[Redacted Name] Defendant/Respondent

- A. Ch. 60 In-State
- B. Ch. 60 Out-State
- C. Ch. 60 By Mail
- D. Ch. 61 In-State
- E. Ch. 61 Out-State
- F. Ch. 61 By Mail

Emporia, KS 66801;

ALIAS SUMMONS

To the above-named Defendant/Respondent: [Redacted Name]

You are hereby notified that an action has been commenced against you in this court. You are required to file your answer to the petition with the court and to serve a copy upon Jay W. Vander Velde plaintiff's/petitioner's attorney, at 304 BANK IV Building, P.O. Box 624, Emporia, KS 66801

- A. within 20 days after service of summons upon you.
- B. within 30 days after service of summons upon you.
- C. within 30 days after the return of registered or certified mail receipt signed or refused by you.
- D. prior to the court's hearing set for 9:00 a.m., on the 29th day of January 1990, or you must be present at that time.
- E. within 30 days after service of summons upon you or appear at _____ M, on the _____ day of _____, 19____.
- F. within 30 days after the return of registered or certified mail receipt signed or refused by you, or appear at _____ M, on the _____ day of _____, 19____.

If you fail to do so, judgment by default will be taken against you for the relief demanded in the petition. Any related claim which you may have against the plaintiff/petitioner must be stated as a counterclaim in your answer, or you will thereafter be barred from making such claim in any other action.

Dated: 12-22-89 By [Signature] Clerk of the District Court, Deputy

TO THE SHERIFF OR PROCESS SERVER. This summons must be served by Jan 19, 1990 and your return made within 2 days thereafter.

RETURN OF SERVICE OF SUMMONS

I hereby certify that on the _____ day of _____, 19____ I served the foregoing summons, together with a copy of the petition, and _____, upon the defendant/respondent _____ by delivering to _____

Name (and relationship or title if not defendant/respondent)

at _____ Address

at _____ M, in the County of _____ State of _____

Personal Service Residential Service No Service Residence Service and Mailing. (By leaving a copy of the summons and a copy of the petition at the dwelling house or usual place of abode and mailing by first-class mail to each of the following defendants a notice that such copy has been so left _____ on the _____ day of _____, 19____.)

(Signature)

Sheriff or Process Server of _____ County, State of _____

B or E - Only

OUT OF STATE CLERK'S CERTIFICATE

Subscribed and sworn to before me this _____ day of _____, 19____, by above deputy, who I certify was at the date of such service and now is _____ of _____ County in the State of _____ and is authorized to serve process in civil actions within said state and is an officer of the court of which I am the clerk.

Witness my hand and the seal of the _____ Court, within and for the County and State aforesaid.

Clerk

C or F - Only

CERTIFICATE OF MAILING

I hereby certify that on the _____ day of _____, 19____, I mailed a copy of this summons and a copy of the petition to each of the following defendants/respondents _____

by registered or certified mail, requesting a return receipt signed by the addressee only, addressed to each of said defendant(s)/respondent(s) at the address furnished by the plaintiff/petitioner.

CLERK DISTRICT COURT

Dated _____ By _____ Deputy

IN THE DISTRICT COURT OF LYON COUNTY, KANSAS

MEDICAL ARTS CLINIC, P.A.,

Plaintiff,

vs.

No. 8921305

~~REDACTED~~

Defendant(s).

P E T I T I O N
(Pursuant to Chapter 61)

COMES NOW the Plaintiff and for its cause of action against the Defendant(s), and alleges and states:

1. That the Plaintiff is duly organized and authorized to do business under the laws of the State of Kansas.

2. That the Defendant(s) is/are (a) resident(s) of

Lyon County, Kansas, whose address is

~~REDACTED~~ Emporia, KS 66801

3. That the Defendant(s) is/are heretofore indebted to the Plaintiff herein in the sum of \$ 26.00 on account for goods and/or services provided by the Plaintiff herein at the Defendant's(s') request.

4. That there is now due and owing to Plaintiff by Defendant(s), the above-stated sum together with legal interest at the maximum legal rate.

WHEREFORE, Plaintiff prays for judgment against the Defendant(s) in the amount of \$ 26.00 together with legal interest at the maximum legal rate, and the costs and disbursements of this action.

ATHERTON & VANDER VELDE
304 BANK IV Building
P.O. Box 624
Emporia, Kansas 66801
(316) 342-1127

Original Signed By
JAY W. VANDER VELDE

By Jay W. Vander Velde
Attorneys for Plaintiff

A TRUE COPY
ATTEST: Jeanne S. T.
Clerk of District Court
Lyon County, Kansas

DISTRICT COURT OF LYON COUNTY, KANSAS

MEDICAL ARTS CLINIC, .A.,

RECEIVED CASE NO. 89 L 1311

1989 DEC 22 AM 8:47

Plaintiff/Petitioner

FOR CLERK'S USE ONLY

vs.

LYON COUNTY SHERIFF DEPT.

[Redacted]

- A. ___ Ch. 60 In-State
- B. ___ Ch. 60 Out-State
- C. ___ Ch. 60 By Mail
- D. X Ch. 61 In-State
- E. ___ Ch. 61 Out-State
- F. ___ Ch. 61 By Mail

513 W. 5th

Defendant/Respondent

Emporia, KS 66801

A L I A S S U M M O N S

To the above-named Defendant/Respondent: [Redacted]

You are hereby notified that an action has been commenced against you in this court. You are required to file your answer to the petition with the court and to serve a copy upon Jay W. Vander Velde plaintiff's/petitioner's attorney, at 304 BANK IV Building, P.O. Box 624, Emporia, KS 66801

- ___ A. within 20 days after service of summons upon you.
- ___ B. within 30 days after service of summons upon you.
- ___ C. within 30 days after the return of registered or certified mail receipt signed or refused by you.
- X D. prior to the court's hearing set for 9:00 a.m., on the 29th day of January, 1990, or you must be present at that time.
- ___ E. within 30 days after service of summons upon you or appear at ___ M, on the ___ day of ___, 19___.
- ___ F. within 30 days after the return of registered or certified mail receipt signed or refused by you, or appear at ___ M, on the ___ day of ___, 19___.

If you fail to do so, judgment by default will be taken against you for the relief demanded in the petition. Any related claim which you may have against the plaintiff/petitioner must be stated as a counterclaim in your answer, or you will thereafter be barred from making such claim in any other action.

CLERK OF THE DISTRICT COURT

Dated: 12-22-89

By Verna Lee Rold, Deputy

TO THE SHERIFF OR PROCESS SERVER. This summons must be served by Jan. 19, 1990 and your return made within 2 days thereafter.

RETURN OF SERVICE OF SUMMONS

I hereby certify that on the ___ day of ___, 19___ I served the foregoing summons, together with a copy of the petition, and ___ upon the defendant/respondent ___ by delivering to

Name (and relationship or title if not defendant/respondent)

at ___ Address

at ___ M, in the County of ___ State of ___

Personal Service Residential Service No Service Residence Service and Mailing. (By leaving a copy of the summons and a copy of the petition at the dwelling house or usual place of abode and mailing by first-class mail to each of the following defendants a notice that such copy has been so left

on the ___ day of ___, 19___.)

(Signature)

Sheriff or Process Server of ___ County, State of ___

B or E - Only

OUT OF STATE CLERK'S CERTIFICATE

Subscribed and sworn to before me this ___ day of ___, 19___, by above deputy, who I certify was at the date of such service and now is ___ of ___ County in the State of ___ and is authorized to serve process in civil actions within said state and is an officer of the court of which I am the clerk.

Witness my hand and the seal of the ___ Court, within and for the County and State aforesaid.

Clerk

C or F - Only

CERTIFICATE OF MAILING

I hereby certify that on the ___ day of ___, 19___, I mailed a copy of this summons and a copy of the petition to each of the following defendants/respondents

by registered or certified mail, requesting a return receipt signed by the addressee only, addressed to each of said defendant(s)/respondent(s) at the address furnished by the plaintiff/petitioner.

CLERK DISTRICT COURT

Dated

By

Deputy

IN THE DISTRICT COURT OF LYON COUNTY, KANSAS

MEDICAL ARTS CLINIC, P.A.,

Plaintiff,

vs.

No. 89L1311

~~██████████~~,

Defendant(s).

P E T I T I O N
(Pursuant to Chapter 61)

COMES NOW the Plaintiff and for its cause of action against the Defendant(s), and alleges and states:

1. That the Plaintiff is duly organized and authorized to do business under the laws of the State of Kansas.

2. That the Defendant(s) is/are (a) resident(s) of _____ Lyon _____ County, Kansas, whose address is _____ ~~██████████~~ Emporia, KS 66801 _____.

3. That the Defendant(s) is/are heretofore indebted to the Plaintiff herein in the sum of \$ 24.00 on account for goods and/or services provided by the Plaintiff herein at the Defendant's(s') request.

4. That there is now due and owing to Plaintiff by Defendant(s), the above-stated sum together with legal interest at the maximum legal rate.

WHEREFORE, Plaintiff prays for judgment against the Defendant(s) in the amount of \$ 24.00 together with legal interest at the maximum legal rate, and the costs and disbursements of this action.

ATHERTON & VANDER VELDE
304 BANK IV Building
P.O. Box 624
Emporia, Kansas 66801
(316) 342-1277

Original Signed By
JAY W. VANDER VELDE

By _____
Jay W. Vander Velde
Attorneys for Plaintiff

A TRUE COPY

ATTEST: Jeanne S. Turner
Clerk of District Court
Lyon County, Kansas

DISTRICT COURT OF LYON COUNTY, KANSAS

MEDICAL ARTS CLINIC, P.A.,

CASE NO. 89 L 1333

DEC 14 REC'D 1989 8:48 AM

Plaintiff/Petitioner

vs.

Defendant/Respondent

Emporia, KS 66801

FOR CLERK'S USE ONLY

- A. _____ Ch. 60 In-State
- B. _____ Ch. 60 Out-State
- C. _____ Ch. 60 By Mail
- D. X Ch. 61 In-State
- E. _____ Ch. 61 Out-State
- F. _____ Ch. 61 By Mail

ALIAS SUMMONS

To the above-named Defendant/Respondent: [Redacted]

You are hereby notified that an action has been commenced against you in this court. You are required to file your answer to the petition with the court and to serve a copy upon Jay W. Vander Velde plaintiff's/petitioner's attorney, at 304 BANK IV Building, P.O. Box 624, Emporia, KS 66801

- _____ A. within 20 days after service of summons upon you.
- _____ B. within 30 days after service of summons upon you.
- _____ C. within 30 days after the return of registered or certified mail receipt signed or refused by you.
- X D. prior to the court's hearing set for 9:00 a.m. on the 2nd day of January 1990, or you must be present at that time.
- _____ E. within 30 days after service of summons upon you or appear at _____ M, on the _____ day of _____, 19____.
- _____ F. within 30 days after the return of registered or certified mail receipt signed or refused by you, or appear at _____ M, on the _____ day of _____, 19____.

If you fail to do so, judgment by default will be taken against you for the relief demanded in the petition. Any related claim which you may have against the plaintiff/petitioner must be stated as a counterclaim in your answer, or you will thereafter be barred from making such claim in any other action.

Dated: 12-13-89 By Vera Lee Rodd, Deputy CLERK OF THE DISTRICT COURT

TO THE SHERIFF OR PROCESS SERVER. This summons must be served by Jan. 12, 1990 and your return made within 2 days thereafter.

RETURN OF SERVICE OF SUMMONS

I hereby certify that on the _____ day of _____, 19____ I served the foregoing summons, together with a copy of the petition, and _____, upon the defendant/respondent _____ by delivering to _____

Name (and relationship or title if not defendant/respondent)

at _____ Address

at _____ M, in the County of _____ State of _____

[] Personal Service [] Residential Service [] No Service [] Residence Service and Mailing. (By leaving a copy of the summons and a copy of the petition at the dwelling house or usual place of abode and mailing by first-class mail to each of the following defendants a notice that such copy has been so left _____ on the _____ day of _____, 19____.)

(Signature)

Sheriff or Process Server of _____ County, State of _____

B or E - Only

OUT OF STATE CLERK'S CERTIFICATE

Subscribed and sworn to before me this _____ day of _____, 19____, by above deputy, who I certify was at the date of such service and now is _____ of _____ County in the State of _____ and is authorized to serve process in civil actions within said state and is an officer of the court of which I am the clerk. Witness my hand and the seal of the _____ Court, within and for the County and State aforesaid.

Clerk

C or F - Only

CERTIFICATE OF MAILING

I hereby certify that on the _____ day of _____, 19____, I mailed a copy of this summons and a copy of the petition to each of the following defendants/respondents _____

by registered or certified mail, requesting a return receipt signed by the addressee only, addressed to each of said defendant(s)/respondent(s) at the address furnished by the plaintiff/petitioner.

CLERK DISTRICT COURT

Dated _____ By _____ Deputy

2-21-90 PAGE 1 OF 2 ATTACHMENT XIII

IN THE DISTRICT COURT OF LYON COUNTY, KANSAS

MEDICAL ARTS CLINIC, P.A.,

Plaintiff,

vs.

No. 89L1333

~~██████████~~

Defendant(s).

P E T I T I O N
(Pursuant to Chapter 61)

COMES NOW the Plaintiff and for its cause of action against the Defendant(s), and alleges and states:

1. That the Plaintiff is duly organized and authorized to do business under the laws of the State of Kansas.

2. That the Defendant(s) is/are (a) resident(s) of Lyon County, Kansas, whose address is ~~██████████~~, Emporia, KS 66801.

3. That the Defendant(s) is/are heretofore indebted to the Plaintiff herein in the sum of \$ 24.00 on account for goods and/or services provided by the Plaintiff herein at the Defendant's(s') request.

4. That there is now due and owing to Plaintiff by Defendant(s), the above-stated sum together with legal interest at the maximum legal rate.

WHEREFORE, Plaintiff prays for judgment against the Defendant(s) in the amount of \$ 24.00 together with legal interest at the maximum legal rate, and the costs and disbursements of this action.

ATHERTON & VANDER VELDE
304 BANK IV Building
P.O. Box 624
Emporia, Kansas 66801
(316) 342-1277

Original Signed By

By

JAY W. VANDER VELDE

Jay W. Vander Velde

Attorneys for Plaintiff

A TRUE COPY

ATTEST: Jessamine S. Turner
Clerk of District Court
Lyon County, Kansas

DISTRICT COURT OF LYON COUNTY, KANSAS

MEDICAL ARTS CLINIC, P.A.,

DEC 14 REC'D 1989 8:48AM

CASE NO. 89 L 1349

Plaintiff/Petitioner

vs.

Defendant/Respondent

Emporia, KS 66801

- A. ___ Ch. 60 In-State
- B. ___ Ch. 60 Out-State
- C. ___ Ch. 60 By Mail
- D. X Ch. 61 In-State
- E. ___ Ch. 61 Out-State
- F. ___ Ch. 61 By Mail

FOR CLERK'S USE ONLY

ALIAS SUMMONS

To the above-named Defendant/Respondent:

You are hereby notified that an action has been commenced against you in this court. You are required to file your answer to the petition with the court and to serve a copy upon Jay W. Vander Velde, plaintiff's/petitioner's attorney, at 304 BANK IV Building, P.O. Box 624, Emporia, KS 66801

- ___ A. within 20 days after service of summons upon you.
- ___ B. within 30 days after service of summons upon you.
- ___ C. within 30 days after the return of registered or certified mail receipt signed or refused by you.
- X D. prior to the court's hearing set for 9:00 AM, on the 22nd day of Jan, 1990, or you must be present at that time.
- ___ E. within 30 days after service of summons upon you or appear at ___ M, on the ___ day of ___, 19__.
- ___ F. within 30 days after the return of registered or certified mail receipt signed or refused by you, or appear at ___ M, on the ___ day of ___, 19__.

If you fail to do so, judgment by default will be taken against you for the relief demanded in the petition. Any related claim which you may have against the plaintiff/petitioner must be stated as a counterclaim in your answer, or you will thereafter be barred from making such claim in any other action.

Dated: Dec. 13, 1989 By Beverly Williams, Deputy CLERK OF THE DISTRICT COURT

TO THE SHERIFF OR PROCESS SERVER. This summons must be served by Jan 17, 1990 and your return made within 2 days thereafter.

RETURN OF SERVICE OF SUMMONS

I hereby certify that on the ___ day of ___, 19__ I served the foregoing summons, together with a copy of the petition, and ___ upon the defendant/respondent ___ by delivering to

Name (and relationship or title if not defendant/respondent)

at ___ Address

at ___ M, in the County of ___ State of ___

Personal Service Residential Service No Service Residence Service and Mailing. (By leaving a copy of the summons and a copy of the petition at the dwelling house or usual place of abode and mailing by first-class mail to each of the following defendants a notice that such copy has been so left

on the ___ day of ___, 19__.)

(Signature)

Sheriff or Process Server of ___ County, State of ___

B or E - Only OUT OF STATE CLERK'S CERTIFICATE

Subscribed and sworn to before me this ___ day of ___, 19__, by above deputy, who I certify was at the date of such service and now is ___ of ___ County in the State of ___ and is authorized to serve process in civil actions within said state and is an officer of the court of which I am the clerk.

Witness my hand and the seal of the ___ Court, within and for the County and State aforesaid.

Clerk

C or F - Only CERTIFICATE OF MAILING

I hereby certify that on the ___ day of ___, 19__, I mailed a copy of this summons and a copy of the petition to each of the following defendants/respondents

by registered or certified mail, requesting a return receipt signed by the addressee only, addressed to each of said defendant(s)/respondent(s) at the address furnished by the plaintiff/petitioner.

Dated ___ By ___ CLERK DISTRICT COURT Deputy

IN THE DISTRICT COURT OF LYON COUNTY, KANSAS

MEDICAL ARTS CLINIC, P.A.,

Plaintiff,

vs.

No. 89L1349

Defendant(s).

P E T I T I O N
(Pursuant to Chapter 61)

COMES NOW the Plaintiff and for its cause of action against the Defendant(s), and alleges and states:

1. That the Plaintiff is duly organized and authorized to do business under the laws of the State of Kansas.

2. That the Defendant(s) is/are (a) resident(s) of
Lyon County, Kansas, whose address is

[REDACTED], Emporia, KS 66801

3. That the Defendant(s) is/are heretofore indebted to the Plaintiff herein in the sum of \$21.00 on account for goods and/or services provided by the Plaintiff herein at the Defendant's(s') request.

4. That there is now due and owing to Plaintiff by Defendant(s), the above-stated sum together with legal interest at the maximum legal rate.

WHEREFORE, Plaintiff prays for judgment against the Defendant(s) in the amount of \$ 21.00 together with legal interest at the maximum legal rate, and the costs and disbursements of this action.

ATHERTON & VANDER VELDE
304 BANK IV Building
P.O. Box 624
Emporia, Kansas 66801
(316) 342-1277

Original Signed By

By JAY W. VANDER VELDE

Jay W. Vander Velde
Attorneys for Plaintiff

DISTRICT COURT OF LYON COUNTY, KANSAS

MEDICAL ARTS CLINIC, P.A.,

Plaintiff/Petitioner

vs.

[Redacted] Defendant/Respondent
Emporia, KS 66801

- A. ___ Ch. 60 In-State
- B. ___ Ch. 60 Out-State
- C. ___ Ch. 60 By Mail
- D. X Ch. 61 In-State
- E. ___ Ch. 61 Out-State
- F. ___ Ch. 61 By Mail

RECEIVED

CASE NO. 89 L 1361

1997 DEC 22 AM 8:47

FOR CLERK'S USE ONLY

LYON COUNTY
SHERIFF DEPT.

A L I A S S U M M O N S

To the above-named Defendant/Respondent: [Redacted]
You are hereby notified that an action has been commenced against you in this court. You are required to file your answer to the petition with the court and to serve a copy upon Jay W. Vander Velde plaintiff's/petitioner's attorney, at 304 BANK IV Building, P.O. Box 624, Emporia, KS 66801

- ___ A. within 20 days after service of summons upon you.
- ___ B. within 30 days after service of summons upon you.
- ___ C. within 30 days after the return of registered or certified mail receipt signed or refused by you.
- X D. prior to the court's hearing set for 9:00 a.m. on the 29th day of January 1990, or you must be present at that time.
- ___ E. within 30 days after service of summons upon you or appear at ___ M, on the ___ day of ___, 19__.
- ___ F. within 30 days after the return of registered or certified mail receipt signed or refused by you, or appear at ___ M, on the ___ day of ___, 19__.

If you fail to do so, judgment by default will be taken against you for the relief demanded in the petition. Any related claim which you may have against the plaintiff/petitioner must be stated as a counterclaim in your answer, or you will thereafter be barred from making such claim in any other action.

CLERK OF THE DISTRICT COURT

Dated: 12-22-89

By Verna Lee Roth, Deputy

TO THE SHERIFF OR PROCESS SERVER. This summons must be served by January 19, 1990 and your return made within 2 days thereafter.

RETURN OF SERVICE OF SUMMONS

I hereby certify that on the ___ day of ___, 19___ I served the foregoing summons, together with a copy of the petition, and ___ upon the defendant/respondent ___ by delivering to

Name (and relationship or title if not defendant/respondent)

at ___ Address

at ___ M, in the County of ___ State of ___

Personal Service Residential Service No Service Residence Service and Mailing. (By leaving a copy of the summons and a copy of the petition at the dwelling house or usual place of abode and mailing by first-class mail to each of the following defendants a notice that such copy has been so left

___ on the ___ day of ___, 19__.)

(Signature)

Sheriff or Process Server of ___ County, State of ___

B or E - Only

OUT OF STATE CLERK'S CERTIFICATE

Subscribed and sworn to before me this ___ day of ___, 19___, by above deputy, who I certify was at the date of such service and now is ___ of ___ County in the State of ___ and is authorized to serve process in civil actions within said state and is an officer of the court of which I am the clerk.

Witness my hand and the seal of the ___ Court, within and for the County and State aforesaid.

Clerk

C or F - Only

CERTIFICATE OF MAILING

I hereby certify that on the ___ day of ___, 19___, I mailed a copy of this summons and a copy of the petition to each of the following defendants/respondents

by registered or certified mail, requesting a return receipt signed by the addressee only, addressed to each of said defendant(s)/respondent(s) at the address furnished by the plaintiff/petitioner.

Dated ___

By ___ Clerk DISTRICT COURT

Deputy

2-21-90

PAGE 1 OF 2

ATTACHMENT XV

IN THE DISTRICT COURT OF LYON COUNTY, KANSAS

MEDICAL ARTS CLINIC, P.A.,

Plaintiff,

vs.

No. 89L1361

[REDACTED]

Defendant(s).

P E T I T I O N
(Pursuant to Chapter 61)

COMES NOW the Plaintiff and for its cause of action against the Defendant(s), and alleges and states:

1. That the Plaintiff is duly organized and authorized to do business under the laws of the State of Kansas.

2. That the Defendant(s) is/are (a) resident(s) of Coffey County, Kansas, whose address is [REDACTED], Burlington, KS 66839

3. That the Defendant(s) is/are heretofore indebted to the Plaintiff herein in the sum of \$ 26.00 on account for goods and/or services provided by the Plaintiff herein at the Defendant's(s') request.

4. That there is now due and owing to Plaintiff by Defendant(s), the above-stated sum together with legal interest at the maximum legal rate.

WHEREFORE, Plaintiff prays for judgment against the Defendant(s) in the amount of \$ 26.00 together with legal interest at the maximum legal rate, and the costs and disbursements of this action.

ATHERTON & VANDER VELDE
304 BANK IV Building
P.O. Box 624
Emporia, Kansas 66801
(316) 342-1277

By Jay W. Vander Velde
Attorneys for Plaintiff

Original Signed By
JAY W. VANDER VELDE

A TRUE COPY

ATTEST: Jeanne S. Turner
Clerk of District Court
Lyon County, Kansas

DIST. COURT OF LYON COUNTY, KANSAS

MEDICAL ARTS CLINIC, P.A.,

CASE NO. 89 L 1362

DEC 14 REC'D 1989
8:48 AM

Plaintiff/Petitioner

FOR CLERK'S USE ONLY

vs.

- A. ___ Ch. 60 In-State
- B. ___ Ch. 60 Out-State
- C. ___ Ch. 60 By Mail
- D. X Ch. 61 In-State
- E. ___ Ch. 61 Out-State
- F. ___ Ch. 61 By Mail

Defendant/Respondent

Allen, KS 66833

A L I A S S U M M O N S

To the above-named Defendant/Respondent: [REDACTED]

You are hereby notified that an action has been commenced against you in this court. You are required to file your answer to the petition with the court and to serve a copy upon Jay W. Vander Velde plaintiff's/petitioner's attorney, at 304 BANK IV Building, P.O. Box 624, Emporia, KS 66801

- ___ A. within 20 days after service of summons upon you.
- ___ B. within 30 days after service of summons upon you.
- ___ C. within 30 days after the return of registered or certified mail receipt signed or refused by you.
- X D. prior to the court's hearing set for 9:00 AM, on the 22nd day of Jan, 1990, or you must be present at that time.
- ___ E. within 30 days after service of summons upon you or appear at ___ M, on the ___ day of ___, 19__.
- ___ F. within 30 days after the return of registered or certified mail receipt signed or refused by you, or appear at ___ M, on the ___ day of ___, 19__.

If you fail to do so, judgment by default will be taken against you for the relief demanded in the petition. Any related claim which you may have against the plaintiff/petitioner must be stated as a counterclaim in your answer, or you will thereafter be barred from making such claim in any other action.

CLERK OF THE DISTRICT COURT

Dated: Dec. 13, 1989

By Dewey Williams, Deputy

TO THE SHERIFF OR PROCESS SERVER. This summons must be served by Jan 17, 1990 and your return made within 2 days thereafter.

RETURN OF SERVICE OF SUMMONS

I hereby certify that on the ___ day of ___, 19__ I served the foregoing summons, together with a copy of the petition, and ___ upon the defendant/respondent ___ by delivering to

Name (and relationship or title if not defendant/respondent)

at ___ Address

at ___ M, in the County of ___ State of ___

Personal Service Residential Service No Service Residence Service and Mailing. (By leaving a copy of the summons and a copy of the petition at the dwelling house or usual place of abode and mailing by first-class mail to each of the following defendants a notice that such copy has been so left ___ on the ___ day of ___, 19__.)

(Signature)

Sheriff or Process Server of ___ County, State of ___

B or E - Only

OUT OF STATE CLERK'S CERTIFICATE

Subscribed and sworn to before me this ___ day of ___, 19__, by above deputy, who I certify was at the date of such service and now is ___ of ___ County in the State of ___ and is authorized to serve process in civil actions within said state and is an officer of the court of which I am the clerk.

Witness my hand and the seal of the ___ Court, within and for the County and State aforesaid.

Clerk

C or F - Only

CERTIFICATE OF MAILING

I hereby certify that on the ___ day of ___, 19__, I mailed a copy of this summons and a copy of the petition to each of the following defendants/respondents

by registered or certified mail, requesting a return receipt signed by the addressee only, addressed to each of said defendant(s)/respondent(s) at the address furnished by the plaintiff/petitioner.

CLERK DISTRICT COURT

Dated

By Deputy

2-21-90
PAGE 1 OF 2
ATTACHMENT XVI

IN THE DISTRICT COURT OF LYON COUNTY, KANSAS

MEDICAL ARTS CLINIC, P.A.,

Plaintiff,

vs.

No. 89L1362

Defendant(s).

P E T I T I O N
(Pursuant to Chapter 61)

COMES NOW the Plaintiff and for its cause of action against the Defendant(s), and alleges and states:

1. That the Plaintiff is duly organized and authorized to do business under the laws of the State of Kansas.

2. That the Defendant(s) is/are (a) resident(s) of

Lyon County, Kansas, whose address is

Allen, KS 66833.

3. That the Defendant(s) is/are heretofore indebted to the Plaintiff herein in the sum of \$ 23.00 on account for goods and/or services provided by the Plaintiff herein at the Defendant's(s') request.

4. That there is now due and owing to Plaintiff by Defendant(s), the above-stated sum together with legal interest at the maximum legal rate.

WHEREFORE, Plaintiff prays for judgment against the Defendant(s) in the amount of \$ 23.00 together with legal interest at the maximum legal rate, and the costs and disbursements of this action.

ATHERTON & VANDER VELDE
304 BANK IV Building
P.O. Box 624
Emporia, Kansas 66801
(316) 342-1277

Original Signed By

JAY W. VANDER VELDE

By

Jay W. Vander Velde

Attorneys for Plaintiff

DISTRICT COURT OF LYON COUNTY, KANSAS

MEDICAL ARTS CLINIC, P.A.,

RECEIVED

CASE NO. 8921579

Plaintiff/Petitioner 1989 DEC 20 AM 8:47

vs.

LYON COUNTY

SHERIFF (DEPT) In-State

B. Ch. 60 Out-State

C. Ch. 60 By Mail

D. X Ch. 61 In-State

E. Ch. 61 Out-State

F. Ch. 61 By Mail

FOR CLERK'S USE ONLY

Emporia, KS 66801

Defendant/Respondent

SUMMONS

To the above-named Defendant/Respondent:

You are hereby notified that an action has been commenced against you in this court. You are required to file your answer to the petition with the court and to serve a copy upon Jay W. Vander Velde, plaintiff's/petitioner's attorney, at 304 BANK IV Building, P.O. Box 624, Emporia, KS 66801

- A. within 20 days after service of summons upon you.
B. within 30 days after service of summons upon you.
C. within 30 days after the return of registered or certified mail receipt signed or refused by you.
X D. prior to the court's hearing set for 9:00 AM, on the 29th day of Jan, 1990, or you must be present at that time.
E. within 30 days after service of summons upon you or appear at M, on the day of 19.
F. within 30 days after the return of registered or certified mail receipt signed or refused by you, or appear at M, on the day of 19.

If you fail to do so, judgment by default will be taken against you for the relief demanded in the petition. Any related claim which you may have against the plaintiff/petitioner must be stated as a counterclaim in your answer, or you will thereafter be barred from making such claim in any other action.

Dated: Dec. 19, 1989 By Beverly Williams, Deputy CLERK OF THE DISTRICT COURT

TO THE SHERIFF OR PROCESS SERVER. This summons must be served by Jan 22, 1990 and your return made within 2 days thereafter.

RETURN OF SERVICE OF SUMMONS

I hereby certify that on the day of 19 I served the foregoing summons, together with a copy of the petition, and upon the defendant/respondent by delivering to

Name (and relationship or title if not defendant/respondent)

at Address

at M, in the County of State of

Personal Service Residential Service No Service Residence Service and Mailing. (By leaving a copy of the summons and a copy of the petition at the dwelling house or usual place of abode and mailing by first-class mail to each of the following defendants a notice that such copy has been so left

on the day of 19)

(Signature)

Sheriff or Process Server of County, State of

B or E - Only

OUT OF STATE CLERK'S CERTIFICATE

Subscribed and sworn to before me this day of 19, by above deputy, who I certify was at the date of such service and now is of County in the State of and is authorized to serve process in civil actions within said state and is an officer of the court of which I am the clerk.

Witness my hand and the seal of the Court, within and for the County and State aforesaid.

Clerk

C or F - Only

CERTIFICATE OF MAILING

I hereby certify that on the day of 19, I mailed a copy of this summons and a copy of the petition to each of the following defendants/respondents

by registered or certified mail, requesting a return receipt signed by the addressee only, addressed to each of said defendant(s)/respondent(s) at the address furnished by the plaintiff/petitioner.

CLERK DISTRICT COURT

Dated By Deputy

2-21-90 PAGE 1 OF 2 ATTACHMENT XVII

FILED
LYON COUNTY
DISTRICT COURT
1989 DEC 19 AM 11:21 *oh*

IN THE DISTRICT COURT OF LYON COUNTY, KANSAS
CLERK OF THE DISTRICT COURT

MEDICAL ARTS CLINIC, P.A.,

Plaintiff,

vs.

No. 8921579

~~████████████████████~~

Defendant(s).

P E T I T I O N
(Pursuant to Chapter 61)

COMES NOW the Plaintiff and for its cause of action against the Defendant(s), and alleges and states:

1. That the Plaintiff is duly organized and authorized to do business under the laws of the State of Kansas.

2. That the Defendant(s) is/are (a) resident(s) of Lyon County, Kansas, whose address is ~~████████████████████~~ Emporia, KS 66801.

3. That the Defendant(s) is/are heretofore indebted to the Plaintiff herein in the sum of \$ 25.00 on account for goods and/or services provided by the Plaintiff herein at the Defendant's(s') request.

4. That there is now due and owing to Plaintiff by Defendant(s), the above-stated sum together with legal interest at the maximum legal rate.

WHEREFORE, Plaintiff prays for judgment against the Defendant(s) in the amount of \$ 25.00 together with legal interest at the maximum legal rate, and the costs and disbursements of this action.

ATHERTON & VANDER VELDE
304 BANK IV Building
P.O. Box 624
Emporia, Kansas 66801
(316) 342-1277

Original Signed By
JAY W. VANDER VELDE

A TRUE COPY
ATTEST: *Jessie S. Turner*
Clerk of District Court
Lyon County, Kansas

By Jay W. Vander Velde
Attorneys for Plaintiff

DISTRICT COURT OF LYON COUNTY, KANSAS

MEDICAL ARTS CLINIC, P.A.,

RECEIVED

CASE NO. 8921590

Plaintiff/Petitioner

vs.

1989 DEC 20 AM 8:47

LYON COUNTY SHERIFF DEPT.

FOR CLERK'S USE ONLY

Defendant/Respondent

- A. ___ Ch. 60 In-State
- B. ___ Ch. 60 Out-State
- C. ___ Ch. 60 By Mail
- D. Ch. 61 In-State
- E. ___ Ch. 61 Out-State
- F. ___ Ch. 61 By Mail

Emporia, KS 66801

SUMMONS

To the above-named Defendant/Respondent:

You are hereby notified that an action has been commenced against you in this court. You are required to file your answer to the petition with the court and to serve a copy upon Jay W. Vander Velde plaintiff's/petitioner's attorney, at 304 BANK IV Building, P.O. Box 624, Emporia, KS 66801

- ___ A. within 20 days after service of summons upon you.
- ___ B. within 30 days after service of summons upon you.
- ___ C. within 30 days after the return of registered or certified mail receipt signed or refused by you.
- D. prior to the court's hearing set for 9:00 AM, on the 29th day of Jan, 1990, or you must be present at that time.
- ___ E. within 30 days after service of summons upon you or appear at ___ M, on the ___ day of ___, 19___.
- ___ F. within 30 days after the return of registered or certified mail receipt signed or refused by you, or appear at ___ M, on the ___ day of ___, 19___.

If you fail to do so, judgment by default will be taken against you for the relief demanded in the petition. Any related claim which you may have against the plaintiff/petitioner must be stated as a counterclaim in your answer, or you will thereafter be barred from making such claim in any other action.

Dated: Dec 19, 1989

By [Signature] Deputy CLERK OF THE DISTRICT COURT

TO THE SHERIFF OR PROCESS SERVER. This summons must be served by Jan 22, 1990 and your return made within 2 days thereafter.

RETURN OF SERVICE OF SUMMONS

I hereby certify that on the ___ day of ___, 19___ I served the foregoing summons, together with a copy of the petition, and ___ upon the defendant/respondent ___ by delivering to

Name (and relationship or title if not defendant/respondent)

at ___ Address

at ___ M, in the County of ___ State of ___

Personal Service Residential Service No Service Residence Service and Mailing. (By leaving a copy of the summons and a copy of the petition at the dwelling house or usual place of abode and mailing by first-class mail to each of the following defendants a notice that such copy has been so left

on the ___ day of ___, 19___.)

(Signature)

Sheriff or Process Server of ___ County, State of ___

B or E - Only

OUT OF STATE CLERK'S CERTIFICATE

Subscribed and sworn to before me this ___ day of ___, 19___, by above deputy, who I certify was at the date of such service and now is ___ of ___ County in the State of ___ and is authorized to serve process in civil actions within said state and is an officer of the court of which I am the clerk.

Witness my hand and the seal of the ___ Court, within and for the County and State aforesaid.

Clerk

C or F - Only

CERTIFICATE OF MAILING

I hereby certify that on the ___ day of ___, 19___, I mailed a copy of this summons and a copy of the petition to each of the following defendants/respondents

by registered or certified mail, requesting a return receipt signed by the addressee only, addressed to each of said defendant(s)/respondent(s) at the address furnished by the plaintiff/petitioner.

CLERK DISTRICT COURT

Dated ___

By ___ Deputy

FILED
LYON COUNTY
DISTRICT COURT
1989 DEC 19 AM 11:22

IN THE DISTRICT COURT OF LYON COUNTY, KANSAS
CLERK OF THE DISTRICT COURT

MEDICAL ARTS CLINIC, P.A.,

Plaintiff,

vs.

No. 8921590

Defendant(s).

P E T I T I O N
(Pursuant to Chapter 61)

COMES NOW the Plaintiff and for its cause of action against the Defendant(s), and alleges and states:

1. That the Plaintiff is duly organized and authorized to do business under the laws of the State of Kansas.

2. That the Defendant(s) is/are (a) resident(s) of Lyon County, Kansas, whose address is [REDACTED], Emporia, KS 66801.

3. That the Defendant(s) is/are heretofore indebted to the Plaintiff herein in the sum of \$ 25.00 on account for goods and/or services provided by the Plaintiff herein at the Defendant's(s') request.

4. That there is now due and owing to Plaintiff by Defendant(s), the above-stated sum together with legal interest at the maximum legal rate.

WHEREFORE, Plaintiff prays for judgment against the Defendant(s) in the amount of \$ 25.00 together with legal interest at the maximum legal rate, and the costs and disbursements of this action.

ATHERTON & VANDER VELDE
304 BANK IV Building
P.O. Box 624
Emporia, Kansas 66801
(316) 342-1277

A TRUE COPY

ATTEST: Jeanne S. Turner
Clerk of District Court
Lyon County, Kansas

Original Signed By
By JAY W. VANDER VELDE
Jay W. Vander Velde
Attorneys for Plaintiff

DISTRICT COURT OF LYON COUNTY, KANSAS

MEDICAL ARTS CLINIC, P.A.,

RECEIVED

CASE NO. 89L1591

1989 DEC 20 AM 8:47

Plaintiff/Petitioner

FOR CLERK'S USE ONLY

vs.

LYON COUNTY SHERIFF DEPT.

- A. ___ Ch. 60 In-State
- B. ___ Ch. 60 Out-State
- C. ___ Ch. 60 By Mail
- D. Ch. 61 In-State
- E. ___ Ch. 61 Out-State
- F. ___ Ch. 61 By Mail

Defendant/Respondent

Emporia, KS 66801

SUMMONS

To the above-named Defendant/Respondent: [Redacted]

You are hereby notified that an action has been commenced against you in this court. You are required to file your answer to the petition with the court and to serve a copy upon Jay W. Vander Velde, plaintiff's/petitioner's attorney, at 304 BANK IV Building, P.O. Box 624, Emporia, KS 66801

- ___ A. within 20 days after service of summons upon you.
- ___ B. within 30 days after service of summons upon you.
- ___ C. within 30 days after the return of registered or certified mail receipt signed or refused by you.
- D. prior to the court's hearing set for 9:00 AM, on the 29th day of Jan, 1990, or you must be present at that time.
- ___ E. within 30 days after service of summons upon you or appear at ___ M, on the ___ day of ___, 19__.
- ___ F. within 30 days after the return of registered or certified mail receipt signed or refused by you, or appear at ___ M, on the ___ day of ___, 19__.

If you fail to do so, judgment by default will be taken against you for the relief demanded in the petition. Any related claim which you may have against the plaintiff/petitioner must be stated as a counterclaim in your answer, or you will thereafter be barred from making such claim in any other action.

Dated: Dec-19, 1989 By Beverly Williams, Deputy CLERK OF THE DISTRICT COURT

TO THE SHERIFF OR PROCESS SERVER. This summons must be served by Jan 23, 1990 and your return made within 2 days thereafter.

RETURN OF SERVICE OF SUMMONS

I hereby certify that on the ___ day of ___, 19__ I served the foregoing summons, together with a copy of the petition, and ___ upon the defendant/respondent ___ by delivering to

Name (and relationship or title if not defendant/respondent)

at ___ Address

at ___ M, in the County of ___ State of ___

- Personal Service Residential Service No Service Residence Service and Mailing. (By leaving a copy of the summons and a copy of the petition at the dwelling house or usual place of abode and mailing by first-class mail to each of the following defendants a notice that such copy has been so left ___ on the ___ day of ___, 19__.)

(Signature)

Sheriff or Process Server of ___ County, State of ___

B or E - Only

OUT OF STATE CLERK'S CERTIFICATE

Subscribed and sworn to before me this ___ day of ___, 19__, by above deputy, who I certify was at the date of such service and now is ___ of ___ County in the State of ___ and is authorized to serve process in civil actions within said state and is an officer of the court of which I am the clerk.

Witness my hand and the seal of the ___ Court, within and for the County and State aforesaid.

Clerk

C or F - Only

CERTIFICATE OF MAILING

I hereby certify that on the ___ day of ___, 19__, I mailed a copy of this summons and a copy of the petition to each of the following defendants/respondents

by registered or certified mail, requesting a return receipt signed by the addressee only, addressed to each of said defendant(s)/respondent(s) at the address furnished by the plaintiff/petitioner.

CLERK DISTRICT COURT

Dated ___ By ___ Deputy

FILED
LYON COUNTY
DISTRICT COURT

1989 DEC 19 AM 11:22

CLERK OF THE
DISTRICT COURT

IN THE DISTRICT COURT OF LYON COUNTY, KANSAS

MEDICAL ARTS CLINIC, P.A.,

Plaintiff,

vs.

No. 89L1591

██████████,

Defendant(s).

P E T I T I O N
(Pursuant to Chapter 61)

COMES NOW the Plaintiff and for its cause of action against the Defendant(s), and alleges and states:

1. That the Plaintiff is duly organized and authorized to do business under the laws of the State of Kansas.

2. That the Defendant(s) is/are (a) resident(s) of
Lyon County, Kansas, whose address is

██████████, Emporia, KS 66801

3. That the Defendant(s) is/are heretofore indebted to the Plaintiff herein in the sum of \$ 27.00 on account for goods and/or services provided by the Plaintiff herein at the Defendant's(s') request.

4. That there is now due and owing to Plaintiff by Defendant(s), the above-stated sum together with legal interest at the maximum legal rate.

WHEREFORE, Plaintiff prays for judgment against the Defendant(s) in the amount of \$ 27.00 together with legal interest at the maximum legal rate, and the costs and disbursements of this action.

ATHERTON & VANDER VELDE
304 BANK IV Building
P.O. Box 624
Emporia, Kansas 66801
(316) 342-1277

A TRUE COPY

ATTEST: James L. Turner
Clerk of District Court
Lyon County, Kansas

Original Signed By
By JAY W. VANDER VELDE
Attorneys for Plaintiff

DIST. COURT OF LYON COUNTY, KANSAS

MEDICAL ARTS CLINIC, P.A.,

RECEIVED

CASE NO. 8921599

1989 DEC 20 AM 8:48

Plaintiff/Petitioner

vs.

LYON COUNTY SHERIFF DEPT.

- A. ___ Ch. 60 In-State
- B. ___ Ch. 60 Out-State
- C. ___ Ch. 60 By Mail
- D. Ch. 61 In-State
- E. ___ Ch. 61 Out-State
- F. ___ Ch. 61 By Mail

FOR CLERK'S USE ONLY

Defendant/Respondent

Emporia, KS 66801

SUMMONS

To the above-named Defendant/Respondent:

You are hereby notified that an action has been commenced against you in this court. You are required to file your answer to the petition with the court and to serve a copy upon Jay W. Vander Velde, plaintiff's/petitioner's attorney, at 304 BANK IV Building, P.O. Box 624, Emporia, KS 66801

- ___ A. within 20 days after service of summons upon you.
- ___ B. within 30 days after service of summons upon you.
- ___ C. within 30 days after the return of registered or certified mail receipt signed or refused by you.
- D. prior to the court's hearing set for 9:00 AM, on the 29th day of Jan, 1990, or you must be present at that time.
- ___ E. within 30 days after service of summons upon you or appear at ___ M, on the ___ day of ___, 19__.
- ___ F. within 30 days after the return of registered or certified mail receipt signed or refused by you, or appear at ___ M, on the ___ day of ___, 19__.

If you fail to do so, judgment by default will be taken against you for the relief demanded in the petition. Any related claim which you may have against the plaintiff/petitioner must be stated as a counterclaim in your answer, or you will thereafter be barred from making such claim in any other action.

Dated: Dec. 19, 1989 By Beverly Williams, Deputy CLERK OF THE DISTRICT COURT

TO THE SHERIFF OR PROCESS SERVER. This summons must be served by Jan 22, 1990 and your return made within 2 days thereafter.

RETURN OF SERVICE OF SUMMONS

I hereby certify that on the ___ day of ___, 19__ I served the foregoing summons, together with a copy of the petition, and ___ upon the defendant/respondent ___ by delivering to

Name (and relationship or title if not defendant/respondent)

at ___ Address

at ___ M, in the County of ___ State of ___

Personal Service Residential Service No Service Residence Service and Mailing. (By leaving a copy of the summons and a copy of the petition at the dwelling house or usual place of abode and mailing by first-class mail to each of the following defendants a notice that such copy has been so left

on the ___ day of ___, 19__.)

(Signature)

Sheriff or Process Server of ___ County, State of ___

B or E - Only

OUT OF STATE CLERK'S CERTIFICATE

Subscribed and sworn to before me this ___ day of ___, 19__, by above deputy, who I certify was at the date of such service and now is ___ of ___ County in the State of ___ and authorized to serve process in civil actions within said state and is an officer of the court of which I am the clerk.

Witness my hand and the seal of the ___ Court, within and for the County and State aforesaid

Clerk

C or F - Only

CERTIFICATE OF MAILING

I hereby certify that on the ___ day of ___, 19__, I mailed a copy of this summons and a copy of the petition to each of the following defendant/respondents

by registered or certified mail, requesting a return receipt signed by the addressee only, addressed to each of said defendant(s)/respondent(s) at the address furnished by the plaintiff/petitioner.

Dated ___ By ___ CLERK DISTRICT COURT Deputy

2-21-90 PAGE 1 OF 2 ATTACHMENT XX

FILED
LYON COUNTY
DISTRICT COURT
1989 DEC 19 AM 11:24

IN THE DISTRICT COURT OF LYON COUNTY, KANSAS
DISTRICT COURT

MEDICAL ARTS CLINIC, P.A.,

Plaintiff,

vs.

No. 8921599

[REDACTED]

Defendant(s).

P E T I T I O N
(Pursuant to Chapter 61)

COMES NOW the Plaintiff and for its cause of action against the Defendant(s), and alleges and states:

1. That the Plaintiff is duly organized and authorized to do business under the laws of the State of Kansas.

2. That the Defendant(s) is/are (a) resident(s) of

Lyon County, Kansas, whose address is

[REDACTED], Emporia, KS 66801

3. That the Defendant(s) is/are heretofore indebted to the Plaintiff herein in the sum of \$ 26.80 on account for goods and/or services provided by the Plaintiff herein at the Defendant's(s') request.

4. That there is now due and owing to Plaintiff by Defendant(s), the above-stated sum together with legal interest at the maximum legal rate.

WHEREFORE, Plaintiff prays for judgment against the Defendant(s) in the amount of \$ 26.80 together with legal interest at the maximum legal rate, and the costs and disbursements of this action.

ATHERTON & VANDER VELDE
304 BANK IV Building
P.O. Box 624
Emporia, Kansas 66801
(316) 342-1277

Original Signed By
JAY W. VANDER VELDE

By Jay W. Vander Velde
Attorneys for Plaintiff

A TRUE COPY

ATTEST: Jeanne S. Turner
Clerk of District Court
Lyon County, Kansas

DIST COURT OF LYON COUNTY, KANSAS

THE CITY OF EMPORIA, KANSAS

RECEIVED

CASE NO. 89 L 1618

1989 DEC 29 PM 2:33

Plaintiff/Petitioner

vs.

LYON COUNTY SHERIFF DEPT.

FOR CLERK'S USE ONLY

[Redacted]

- A. ___ Ch. 60 In-State
- B. ___ Ch. 60 Out-State
- C. ___ Ch. 60 By Mail
- D. X Ch. 61 In-State
- E. ___ Ch. 61 Out-State
- F. ___ Ch. 61 By Mail

[Redacted]

Defendant/Respondent

Emporia, KS 66801

SUMMONS

To the above-named Defendant/Respondent:

You are hereby notified that an action has been commenced against you in this court. You are required to file your answer to the petition with the court and to serve a copy upon Dale W. Bell plaintiff's/petitioner's attorney, at 519 Commercial, P. O. Box 921, Emporia, KS 66801

- ___ A. within 20 days after service of summons upon you.
- ___ B. within 30 days after service of summons upon you.
- ___ C. within 30 days after the return of registered or certified mail receipt signed or refused by you.
- X D. prior to the court's hearing set for 9:00 A.M. on the 29th day of January, 1990, or you must be present at that time.
- ___ E. within 30 days after service of summons upon you or appear at ___ M, on the ___ day of ___, 19__.
- ___ F. within 30 days after the return of registered or certified mail receipt signed or refused by you, or appear at ___ M, on the ___ day of ___, 19__.

If you fail to do so, judgment by default will be taken against you for the relief demanded in the petition. Any related claim which you may have against the plaintiff/petitioner must be stated as a counterclaim in your answer, or you will thereafter be barred from making such claim in any other action.

CLERK OF THE DISTRICT COURT

Dated: 12-29-89

By Verna Lee Roth, Deputy

TO THE SHERIFF OR PROCESS SERVER. This summons must be served by Jan 19, 1990 and your return made within 2 days thereafter.

RETURN OF SERVICE OF SUMMONS

I hereby certify that on the ___ day of ___, 19__ I served the foregoing summons, together with a copy of the petition, and ___ upon the defendant/respondent ___ by delivering to

Name (and relationship or title if not defendant/respondent)

at ___ Address

at ___ M, in the County of ___ State of ___

Personal Service Residential Service No Service Residence Service and Mailing. (By leaving a copy of the summons and a copy of the petition at the dwelling house or usual place of abode and mailing by first-class mail to each of the following defendants a notice that such copy has been so left

on the ___ day of ___, 19__.)

(Signature)

Sheriff or Process Server of ___ County, State of ___

B or E - Only

OUT OF STATE CLERK'S CERTIFICATE

Subscribed and sworn to before me this ___ day of ___, 19__, by above deputy, who I certify was at the date of such service and now is ___ of ___ County in the State of ___ and is authorized to serve process in civil actions within said state and is an officer of the court of which I am the clerk.

Witness my hand and the seal of the ___ Court, within and for the County and State aforesaid.

Clerk

C or F - Only

CERTIFICATE OF MAILING

I hereby certify that on the ___ day of ___, 19__, I mailed a copy of this summons and a copy of the petition to each of the following defendants/respondents

by registered or certified mail, requesting a return receipt signed by the addressee only, addressed to each of said defendant(s)/respondent(s) at the address furnished by the plaintiff/petitioner.

Dated ___

By ___ CLERK DISTRICT COURT

Deputy

FILED
LYON COUNTY,
DISTRICT COURT

IN THE DISTRICT COURT OF LYON COUNTY, KANSAS 28 PM 3: 57

CLERK OF THE
DISTRICT COURT

THE CITY OF EMPORIA, KANSAS,)
)
 Plaintiff,)
)
 vs.)
)
)
)
 Defendant.)

No. 89 L 1618

Petition

(Filed Pursuant to K.S.A. Chapter 61)

COMES NOW the Plaintiff, The City of Emporia, Kansas, and for its cause of action against the Defendant alleges and states:

1. That Plaintiff is a corporation organized and authorized to do business under the laws of the State of Kansas, and does business at 522 Mechanic, Emporia, Kansas.

2. That Defendant may be served with summons and a copy of this Petition at [REDACTED], Emporia, Lyon County, Kansas.

3. That heretofore Defendant is indebted to Plaintiff in the amount of \$28.53 for unpaid water bills.

4. That repeated demands have been made upon the Defendant, but that Defendant has failed and refused to pay the same.

WHEREFORE, Plaintiff prays for judgment against the Defendant in the amount of \$28.53 plus interest as allowed by law from and after the date of judgment, and for the costs and disbursements of this action.

ELBERT, BELL
& SMITH,
CHARTERED
ATTORNEYS AT LAW

EMPORIA OFFICE
9 COMMERCIAL STREET
P.O. BOX 921
EMPORIA, KS 66801
316-343-6500

BURLINGTON OFFICE
511 NEOSHO STREET
BURLINGTON, KS 66839
316-364-8025
FAX 364-2940

A TRUE COPY

ATTEST: *Jeanne S. Turner*
Clerk of District Court
Lyon County, Kansas

HELBERT, BELL & SMITH,
Chartered

By:

DALE W. BELL
Attorneys for Plaintiff

DISTRICT COURT OF LYON COUNTY, KANSAS

THE CITY OF EMPORIA, KANSAS

RECEIVED

CASE NO. 89 L 1621

1989 DEC 29 PM 2:33

Plaintiff/Petitioner

FOR CLERK'S USE ONLY

vs.

LYON COUNTY SHERIFF DEPT.

Defendant/Respondent

- A. _____ Ch. 60 In-State
- B. _____ Ch. 60 Out-State
- C. _____ Ch. 60 By Mail
- D. xx Ch. 61 In-State
- E. _____ Ch. 61 Out-State
- F. _____ Ch. 61 By Mail

Emporia, KS 66801

SUMMONS

To the above-named Defendant/Respondent:

You are hereby notified that an action has been commenced against you in this court. You are required to file your answer to the petition with the court and to serve a copy upon Dale W. Bell plaintiff's/petitioner's attorney, at 519 Commercial, P.O. Box 921, Emporia, KS 66801

- _____ A. within 20 days after service of summons upon you.
- _____ B. within 30 days after service of summons upon you.
- _____ C. within 30 days after the return of registered or certified mail receipt signed or refused by you.
- xx D. prior to the court's hearing set for 9:00 a.m., on the 29th day of January 1989, or you must be present at that time.
- _____ E. within 30 days after service of summons upon you or appear at _____ M, on the _____ day of _____, 19_____.
- _____ F. within 30 days after the return of registered or certified mail receipt signed or refused by you, or appear at _____ M, on the _____ day of _____, 19_____.

If you fail to do so, judgment by default will be taken against you for the relief demanded in the petition. Any related claim which you may have against the plaintiff/petitioner must be stated as a counterclaim in your answer, or you will thereafter be barred from making such claim in any other action.

CLERK OF THE DISTRICT COURT

Dated: 12-29-89

By Verna Lee Rold Deputy

TO THE SHERIFF OR PROCESS SERVER. This summons must be served by January 19, 1990 and your return made within 2 days thereafter.

RETURN OF SERVICE OF SUMMONS

I hereby certify that on the _____ day of _____, 19_____ I served the foregoing summons, together with a copy of the petition, and _____, upon the defendant/respondent _____ by delivering to

Name (and relationship or title if not defendant/respondent)

at _____ Address

at _____ M, in the County of _____ State of _____.

Personal Service Residential Service No Service Residence Service and Mailing. (By leaving a copy of the summons and a copy of the petition at the dwelling house or usual place of abode and mailing by first-class mail to each of the following defendants a notice that such copy has been so left

_____ on the _____ day of _____, 19_____.)

(Signature)

Sheriff or Process Server of _____ County, State of _____

B or E - Only

OUT OF STATE CLERK'S CERTIFICATE

Subscribed and sworn to before me this _____ day of _____, 19_____, by above deputy, who I certify was at the date of such service and now is _____ of _____ County in the State of _____ and is authorized to serve process in civil actions within said state and is an officer of the court of which I am the clerk.

Witness my hand and the seal of the _____ Court, within and for the County and State aforesaid.

Clerk

C or F - Only

CERTIFICATE OF MAILING

I hereby certify that on the _____ day of _____, 19_____, I mailed a copy of this summons and a copy of the petition to each of the following defendants/respondents _____

by registered or certified mail, requesting a return receipt signed by the addressee only, addressed to each of said defendant(s)/respondent(s) at the address furnished by the plaintiff/petitioner.

CLERK DISTRICT COURT

Dated _____

By _____ Deputy

FILED
LYON COUNTY
DISTRICT COURT

1989 DEC 28 PM 3:57
KANSAS

IN THE DISTRICT COURT OF LYON COUNTY,

CLERK OF THE
DISTRICT COURT

THE CITY OF EMPORIA, KANSAS,)
)
 Plaintiff,)
)
 vs.)
)
)
)
 Defendant.)

No. 89 L 1621

Petition

(Filed Pursuant to K.S.A. Chapter 61)

COMES NOW the Plaintiff, The City of Emporia, Kansas, and for its cause of action against the Defendant alleges and states:

1. That Plaintiff is a corporation organized and authorized to do business under the laws of the State of Kansas, and does business at 522 Mechanic, Emporia, Kansas.
2. That Defendant may be served with summons and a copy of this Petition at [REDACTED], Emporia, Lyon County, Kansas.
3. That heretofore Defendant is indebted to Plaintiff in the amount of \$21.21 for unpaid water bills.
4. That repeated demands have been made upon the Defendant, but that Defendant has failed and refused to pay the same.

WHEREFORE, Plaintiff prays for judgment against the Defendant in the amount of \$21.21 plus interest as allowed by law from and after the date of judgment, and for the costs and disbursements of this action.

HELBERT, BELL & SMITH,
Chartered

By:

A TRUE COPY

ATTEST: *Jeanne S. Turner*
Clerk of District Court
Lyon County, Kansas

DALE W. BELL
Attorneys for Plaintiff

HELBERT, BELL & SMITH,
CHARTERED
ATTORNEYS AT LAW

EMPORIA OFFICE
119 COMMERCIAL STREET
P.O. BOX 921
EMPORIA, KS 66801
316-343-6500

BURLINGTON OFFICE
511 NEOSHO STREET
BURLINGTON, KS 66839
316-364-8825
FAX 364-2840

Senate Bill No. 620
Senate Judiciary Committee
February 21, 1990

Testimony of Paul Shelby
Assistant Judicial Administrator
Office of Judicial Administration

Mr. Chairman:

I appreciate the opportunity to appear today to discuss Senate Bill No. 620, which establishes a special revenue fund for sheriffs to assist in defraying the expense of serving court civil process.

This bill is a departure from the single docket fee concept established by the legislature and now in use by the judicial system and, if passed, would be a return to past practice which added up charges of various natures to arrive at the cost for filing a civil suit, which is a labor intensive way to arrive at a filing fee. The docket fee system was established to deduct various fees not add on various fees.

Presently, a Chapter 60 civil case docket fee is \$55.00, and \$10.00 of that fee goes to the county general fund. On Limited Action cases \$500 or less, the docket fee is \$10, and \$5 goes to the county general fund. On Limited Action cases over \$500, the docket fee is \$30, and \$10 goes to the county general fund. On filing a Foreign Judgment, the docket fee is \$55, and \$10 goes to the county general fund.

It was the intent of the legislature that these various funds which go to the county general fund be for the services of the clerk and the sheriff. (See copy of present K.S.A. 60-2001 attached.) We certainly sympathize with the sheriffs if they are not getting these funds.

The impact of this bill is on the district court accounting system. Necessary changes will be required for our accounting forms and procedures, creating additional costs to county general funds. Also, the effective date of this bill would cause a midyear budget impact. We do not have an estimate of the costs of programming changes for those counties that have automated accounting systems, but because changes would have to be made in the number of fields in both

receipts and disbursements of existing systems, the costs could be significant.

We do not want to add another fee nor do we want to establish another fund, and we offer the following alternatives:

1. We recommend that Lines 19-29 , Page 1, be amended to read: "(a) To the county treasurer, for deposit in the county treasury and credit to the Sheriff's Service of Summons and Petition Fund."

Other language in the bill will need to be changed. This amendment would allow the sheriff to get the fees intended by K.S.A. 60-2001.

OR

2. Increase the docket fees by \$5 and increase monthly payments to the county general fund prescribed by the bill, amending K.S.A. 20-362 to \$15 per month.

We respectfully urge the committee to consider our concerns and the impact to the District Court Accounting System.

Attachment: K.S.A. 60-2001

#

60-2001. Docket fee; additional costs; certain sheriff's charges prohibited. (a) *Docket fee.* Except as otherwise provided by law, no case shall be filed or docketed in the district court, whether original or appealed, without payment of a docket fee in the amount of \$55 to the clerk of the district court.

(b) *Poverty affidavit in lieu of docket fee.* (1) *Effect.* In any case where a plaintiff by reason of poverty is unable to pay a docket fee, and an affidavit so stating is filed, no fee will be required.

(2) *Form of affidavit.* The affidavit provided for in this subsection shall be in the following form and attached to the petition:

State of Kansas, _____ County.

In the district court of the county: I do solemnly swear that the claim set forth in the petition herein is just, and I do further swear that, by reason of my poverty, I am unable to pay a docket fee.

(c) *Disposition of docket fee.* The docket fee shall be the only costs assessed in each case for services of the clerk of the district court and the sheriff. The docket fee shall be disbursed in accordance with K.S.A. 20-362 and amendments thereto.

(d) *Additional court costs.* Other fees and expenses to be assessed as additional court costs shall be approved by the court, unless specifically fixed by statute. Other fees shall include, but not be limited to, witness fees, appraisers' fees, fees for service of process outside the state, fees for depositions, transcripts and publication, attorneys' fees, court costs from other courts and any other fees and expenses required by statute. All additional court costs shall be taxed and billed against the parties as directed by the court. No sheriff in this state shall charge any district court in this state a fee or mileage for serving any paper or process.

History: L. 1963, ch. 303, 60-2001; L. 1974, ch. 168, § 3; L. 1975, ch. 218, § 3; L. 1976, ch. 251, § 27; L. 1982, ch. 116, § 8; July 1.

Source or prior law:

(a). L. 1862, ch. 76, § 1; G.S. 1868, ch. 80, § 581; L. 1875, ch. 121, § 1; L. 1901, ch. 276, § 1; L. 1909, ch. 182, § 606; R.S. 1923, 60-2401.

(b). L. 1862, ch. 76, § 1; G.S. 1868, ch. 80, § 581; L.

Department of Social and Rehabilitation Services

Winston Barton, Secretary

Statement regarding S.B. 620

The primary responsibility of the SRS Child Support Enforcement Program is to help children by establishing regular and adequate support payments and by enforcing past due support obligations.

Title:

An act concerning civil procedure; relating to service of summons and petition; providing a fee thereof.

Purpose:

When a court case is filed, this bill would require payment of a \$5 fee for service of summons and petition by a sheriff.

Background:

K.S.A. 60-2005 presently exempts government agencies from the requirement of depositing court costs or paying a docket fee at the time a petition is filed. This bill, creating a new fee, does not specify whether the exemption applies or not.

The exemption is specifically limited to paying docket fees (required by subsection (a) of K.S.A. 60-2001) and depositing court costs (subsection (d) of K.S.A. 60-2001). An ambiguity is created by the addition of the sheriff's fee to subsection (a) as a separate charge from the docket fee without a corresponding addition to K.S.A. 60-2005 as an exemption. Standard rules of statutory construction strongly suggest that an agency would have to pay the sheriff's fee up front because K.S.A. 60-2005 specifically lists items that are not due at the time of filing, and the existence of a list implies that all other items have been intentionally excluded. For comparison, witness fees are not specifically listed in the exemption statute, and a witness fee generally must be tendered by an agency with its request for a subpoena in a civil case.

It should be noted that the exemption statute merely defers payment of costs and docket fees until the date of judgment. At that time, the court has the authority to assess costs against the appropriate party, including a government agency.

Effect of Passage:

In the event that government agencies are not exempt from paying sheriff's fees at the time a petition is filed, the costs of administering the Child Support Enforcement Program (CSE) alone would be significantly increased. During 1989, CSE staff attorneys filed an average of 323 cases per month. Assuming an average of one attempt at service for each case, \$19,380 in funding would have been required for service of process alone. If the administrative costs of generating payment vouchers and warrants, currently averaging more than \$12 per payment, are included, the total additional expenditures for 1989 would have been \$65,892.

Such a fee would also reduce CSE's cost efficiency ratio, hampering our ability to obtain enhanced incentive funding from the federal government. Based upon 1989 figures, each percent of incentive lost represents roughly \$135,000 in lost federal funding.

It should be noted that this cost estimate does not take into account the delay factor -- vouchers and warrants take time to process, putting off the date of the first payment of support for the child. Consequently, even though

federal funding for CSE expenses and judgments for costs collected from defendants would reduce the direct cost to the state, the indirect costs to both the state and the child because of delay are enormous.

Agency recommendation:

If the Committee recommends passage of this legislation, SRS requests that K.S.A. 60-2005 also be amended to clarify that government agencies are not required to pay sheriff's fees at the time service is requested.

Jamie L. Corkhill, Attorney
Child Support Enforcement
Social and Rehabilitation Services
296-3237

.005. State, cities and counties exempt from depositing court costs; exceptions. The state of Kansas and all cities and counties in this state are hereby exempt, in any civil action in which such state, city or county is involved, from depositing court costs or paying docket fees prescribed by _____ or fees for service of summons and petition by any other law of this state, except that if the costs are assessed against the state of Kansas or any city or county in this state in any such action, such costs shall include the amount of the docket fee prescribed by K.S.A. 60-2001 together with any additional courts costs accrued in the action.

History: L. 1969, ch. 289, § 1; L. 1974, ch. 168, § 6; July 1.

Suite 2, the Denholm Bldg.
513 Leavenworth
Manhattan, KS 66502
(913) 776-1541

Chairperson
R.C. (Pete) Loux
Wichita

Vice Chairperson
Robert Anderson
Ottawa

Secretary
Neil Benson
El Dorado

Treasurer
W. Patrick Russell
Topeka

Rep. Rochelle Chronister
Neodesha

Sen. Norma Daniels
Valley Center

Sen. Ross O. Doyen
Concordia

Harold James
Hugoton

James Maag
Topeka

Rep. Jack Shriver
Arkansas City

Raymond L. Spring
Topeka

W.H. Weber
Topeka

Liaison to the Governor
Jose A. de la Torre

Executive Director
Joan Strickler

TO: The Senate Judiciary Committee
Senator Wint Winter, Jr., Chairperson

FROM: Kansas Advocacy and Protective Services, Inc.
R.C. Loux, Chairperson

DATE: February 21, 1990

RE: S.B. 640

The intent of S.B. 640, as we understand it, is to facilitate the movement of persons from state hospitals to less restrictive community placements. We support that intent.

As written, however, the bill would appear to leave the issue of subsequent placements somewhat open ended. We would suggest some assurance be added that any subsequent placements occur only in treatment facilities licensed by the State.

We would also request that, on page 2, line 19, language be added following the word "ward" to provide that the guardian and/or other interested party may request a court hearing to review such subsequent placements.

Respectfully submitted,



Joan Strickler
Executive Director

JS:aa

ATTACHMENT XXVI

2-21-90

PAGE 1 OF 1