

**IN THE DISTRICT COURT OF ANDERSON COUNTY, KANSAS
FOURTH JUDICIAL DISTRICT**

NOTICE

To Those Filing Small Claims Petitions

Be forewarned that if you file your small claims case in a county other than the county of the defendant's residence or the county in which the defendant will be served with a summons, (unless the defendant lived in said county at the time of the incident) your case may be dismissed (with the loss of your filing fee).

This is pursuant to K. S. A. 61-2708.

Dated this 18th day of September, 2014



Kevin Kimball, District Magistrate Judge

- _____ The defendant lives in Anderson County
- _____ The defendant lives in Anderson County at the time of the incident
- _____ The defendant can be served in Anderson County



For Office Use Only

CIVIL COVER SHEET

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

NATURE OF SUIT (Click or mark in one circle only – If the case involves more than one of the following categories, indicate the category having the highest dollar value)

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

TORT Asbestos Product Liability Automobile Tort Intentional Tort Legal Malpractice Medical Malpractice Other Professional Malpractice Premises Liability Slander/Libel/Defamation Tobacco Product Liability Toxic/Other Product Liability Other Tort	CONTRACT Buyer Plaintiff Employment Dispute - Discrimination Employment Dispute - Other Fraud Landlord/Tenant - Unlawful Detainer Landlord/Tenant Dispute - Other Seller Plaintiff (debt collection) Other Contract	REAL PROPERTY Eminent Domain Mortgage Foreclosure Other Real Property	STATE TAX WARRANT
		MISCELLANEOUS 60-1507 Habeas Corpus Other Writs	
		OTHER CIVIL <div style="border: 1px solid black; padding: 2px; display: inline-block;"> <input checked="" type="checkbox"/> SMALL CLAIMS </div>	
		CIVIL APPEALS Administrative Agency Other Civil Appeal	

DOMESTIC

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

PROBATE/ESTATE

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

JURY DEMAND YES (Check yes only if jury demand is included in petition or as a separate pleading) NO

SUMMONS ATTACHED: YES NO

SERVICE BY: PROCESS SERVER/ATTORNEY SHERIFF IN STATE _____ County SHERIFF OUT OF STATE _____ State

SHERIFF'S PROCESS FEE ATTACHED YES NO

PLAINTIFF / SUBJECT INFORMATION
(ATTACH ADDITIONAL SHEET, IF NECESSARY)

NAME: _____
 ADDRESS: _____
 PHONE: _____ SEX: _____
 SSN: _____ DOB: _____
 DL OR STATE ID NO: _____
State and Number

ALIAS NAMES USED: _____

DEFENDANT / OTHER PARTY INFORMATION
(ATTACH ADDITIONAL SHEET, IF NECESSARY)

NAME: _____
 ADDRESS: _____
 PHONE: _____ SEX: _____
 SSN: _____ DOB: _____
 DL OR STATE ID NO: _____
State and Number

ALIAS NAMES USED: _____

ATTORNEYS
(Firm Name, Address, Telephone Number and Supreme Court ID Number)

ATTORNEYS (if known)
(Firm Name, Address, Telephone Number and Supreme Court ID Number)

FOR DOMESTIC CASES - NAME, DATE OF BIRTH AND SOCIAL SECURITY NUMBER OF EACH DEPENDENT CHILD:
(Name) (Date of Birth) (Social Security Number)

The requirement that Social Security numbers be included on domestic cases is mandatory, and authorized by the Supreme Court and federal law. On non-domestic cases, the Social Security number is not mandatory. The number is used for purposes of identification and may be disclosed as permitted by law. This form is not considered to be a public record.

**IN THE DISTRICT COURT OF ANDERSON COUNTY, KANSAS
SMALL CLAIMS PROCEDURE**

PLAINTIFF (Name, Address, and Telephone Number)

vs.

DEFENDANT (Name, Address, and Telephone Number)

Case No. _____

PETITION Pursuant to Chap. 61 of K.S.A.

TO PLAINTIFF: Read instructions on page two of this form. Set forth a short and plain statement of claim below.

Plaintiff, having read the instructions on the bottom of the petition, asserts the following claim against the above named defendant(s):

Based on the claim stated above, judgment is demanded against defendant (s) as follows: (check one of the applicable provisions)

- Payment of \$ _____, plus interest, costs, and any other damages awarded under K.S.A. 60-2610.
 Recovery of the following described personal property, plus costs - estimated value of property \$ _____. (Not to exceed \$4,000.00)

The plaintiff hereby swears that, to the best of his/her knowledge and belief, the above claim asserted against the defendant(s) (including the estimate of value of any property sought to be recovered) is a just and true statement, exclusive of any valid claim or defense which defendant(s) may have.

Plaintiff's Signature

Subscribed and sworn to before me on _____, 20____.

Clerk/Deputy Clerk/Notary Public

* Request for Service by _____ County Sheriff's Department

____ **PERSONAL**
____ **CERTIFIED MAIL**

The trial on this matter is set for _____, 20_____, at _____:_____ p.m.,
at ANDERSON COUNTY DISTRICT COURT, Anderson County Courthouse, Second Floor, 100 East
4th, Garnett, Kansas, 66032.

TO THE SHERIFF:

The summons must be served and your return of service made promptly, in any event, your return is due
no later than **three** **five days** before the date stated in the summons for the defendant to
appear.

INSTRUCTIONS TO PLAINTIFF

1. State the claim you have against the defendant(s) in the space provided on the petition form. Be clear and concise.
2. Your total claim against defendant may not exceed \$4,000.00 not including interest, costs, and any damages awarded under K.S.A. 60-2610. If you are seeking the recovery of personal property, the value of that property shall be based on your estimate of its value under oath.
3. You must be present in person at the hearing in order to avoid default judgment against you on any claim defendant(s) may have which arises out of the transaction or occurrence which is the subject of your claim against the defendant(s).
4. You must make demand for judgment in the spaces provided on the petition form.
5. Neither you nor the defendant(s) are permitted to appear with an attorney at the hearing.
6. You may not file more than ten (20) small claims under the Small Claims Procedure Act in this court during any calendar year.
7. After completing the petition form, you must subscribe to the oath.