

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

NOTICE

To Those Filing Small Claims Petitions

Be forewarned that if you file your small claims 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 notice is pursuant to K.S.A. 61-2708.

Dated this 2nd day of June, 2014



Kevin Kimball, District Magistrate Judge

_____ The defendant lives in Franklin County

_____ The defendant lived in Franklin County at the time of the incident

_____ The defendant can be served in Franklin County

PROCEDURES FOR SMALL CLAIMS CASES

INSTRUCTIONS FOR PLAINTIFF FOR FILING AND HEARING

- The small claims forms mentioned below are located on the Kansas Judicial Council website: <https://www.kansasjudicialcouncil.org/legal-forms/civil-actions-including-small-claims-and-evictions/chapter-61-including-small-claims-and->
- Scan the QR code in the upper left corner to locate the forms online.
- In a small claims case, the person filing the case and seeking to recover money or property is the Plaintiff. The person being sued for money or property is the Defendant. These instructions are for the Plaintiff.
- Small claims court is only for cases to recover money or property worth \$4,000 or less.
- If suing an individual who is a Kansas resident, you may file in the district court of any county in which:
 1. Defendant resides.
 2. Plaintiff lives if Defendant is served there.
 3. Defendant works, if Defendant is served there.
 4. Property sought is located.
 5. The claim arose and Defendant resided at the time.If the Defendant is a corporation or non-Kansas resident, see the VENUE INFORMATION SHEET for more information.
- You will need these forms to start the small claims case:
 - CIVIL COVER SHEET
 - SELF-REPRESENTED LITIGANT CERTIFICATION FORM
 - PETITION
 - SUMMONS
 - REQUEST FOR SERVICE
 - POVERTY AFFIDAVIT (if asking for the filing fee to be waived)
- You will need to bring this form to your court hearing:
 - JOURNAL ENTRY
- You might need more than one copy of the forms above. You also should make a copy of each completed form to keep for your records. If you have questions about how many copies you need, you may contact the court clerk.

1. Complete the CIVIL COVER SHEET. Mark the following items:
 - a. In the “Civil” section, where it states “If a CH. 61: \$ _____ (Judgment Demand Amount),” enter the total amount that you are seeking from the Defendant.
 - b. In the “Civil” section, check “Small Claims.”
 - c. Next to “Jury Demand,” check “No.”
 - d. Next to “Summons Attached,” check “Yes.”
 - e. Next to “Service By,” check:
 - i. “Process/Server/Attorney” if you plan to serve the Petition by return receipt delivery (*e.g.*, certified mail) or by hiring a process server;
 - ii. “Sheriff in State” and fill in the name of the County if the Defendant is in Kansas and you want the sheriff to serve the Petition; or
 - iii. “Sheriff Out of State” if the Defendant is outside the state of Kansas.
 - f. Next to “Sheriff’s Process Fee Attached,” check “Yes” if you checked (e)(ii) above. Check “no” for other options.
 - g. On page 2 of the CIVIL COVER SHEET, provide as much of the requested information as possible about the Plaintiff and the Defendant. On pages 3 and 4, complete the “Additional Civil Party Information” if there is more than one Plaintiff or Defendant. Do not complete the section “For Domestic Cases.”

2. Complete the SELF-REPRESENTED LITIGANT CERTIFICATION FORM.

3. Complete the PETITION. Carefully read the Instructions to Plaintiff in the PETITION.

4. Complete the SUMMONS. Ask the court clerk for a hearing date to list on the SUMMONS.

5. Complete the REQUEST FOR SERVICE.

If you want to have service done by the Sheriff in Kansas, you must pay a \$15.00 fee by personal check, cash, cashier’s check, or money order. If you want to have service done by the Sheriff in another state you must contact that sheriff to ask what the service fee is, what forms of payment are accepted, and who receives payment.

If you want to have service done by a private process server or by certified mail, the court clerk will provide you with more information and a service packet. Some counties provide this information by email. In other counties you must get the service packet from the court clerk inside the courthouse.

6. Take these forms to the court clerk and pay the filing fee and, if you choose to have service done by the Sheriff, the Sheriff’s service fee. The court clerk can tell you the filing fee. You may be eligible to have the filing fee waived by filing a POVERTY AFFIDAVIT.

7. You must come to the court hearing to present your case and to avoid default judgment against you on any claims brought by the Defendant. Arrive at the courtroom for the court hearing at least a few minutes before the scheduled hearing time. Make sure to bring any documents you want the court to review and any witnesses who have relevant personal knowledge about the case.
8. Bring the JOURNAL ENTRY with you to the court hearing. The judge may require you to complete and file the JOURNAL ENTRY with the court clerk, or the judge may do it.

INSTRUCTIONS AFTER THE JUDGE MAKES A DECISION

- You may need these forms after judgment has been entered, granting or denying your claim:
- STATEMENT OF ASSETS
 - CERTIFICATE OF MAILING OF JOURNAL ENTRY AND STATEMENT OF ASSETS
 - NOTICE OF APPEAL
 - POVERTY AFFIDAVIT (if asking for the filing fee for an appeal to be waived)
 - REQUEST FOR CITATION FOR CONTEMPT
 - CITATION FOR CONTEMPT

If you win in small claims court:

1. Within 14 days after the file-stamped date on the JOURNAL ENTRY, unless the judgment has been paid in full or Defendant has appealed, you must mail a copy of the file-stamped JOURNAL ENTRY and STATEMENT OF ASSETS to the Defendant. On the STATEMENT OF ASSETS form, complete the case caption with the Plaintiff's and Defendant's names and the case number; leave the rest of the form blank. The Defendant is responsible for completing the rest of the form.
2. You must file with the court clerk a CERTIFICATE OF MAILING OF JOURNAL ENTRY AND STATEMENT OF ASSETS showing when you mailed a copy of the JOURNAL ENTRY and STATEMENT OF ASSETS to the Defendant.
3. Within 30 days after receiving the STATEMENT OF ASSETS, the Defendant must complete and return the form to the court clerk. If the Defendant completes the STATEMENT OF ASSETS, the court clerk will mail it to you. The court clerk will not keep a copy of the STATEMENT OF ASSETS form, so do not lose it.
4. To collect on the judgment, follow the procedures for garnishment and attachment. You may consult with or hire an attorney at this stage. You also can refer to the forms made available by the Kansas Judicial Council.

5. If the Defendant does not complete and return the STATEMENT OF ASSETS within 30 days, you can file a REQUEST FOR CITATION FOR CONTEMPT to request that the court issue a CITATION FOR CONTEMPT to the Defendant, and the court may punish the Defendant for failing to submit the STATEMENT OF ASSETS.

If you lose or do not receive everything you asked for in small claims court:

6. If you want to appeal, you must file a NOTICE OF APPEAL with the court clerk within 14 days after the filed-stamped date on the JOURNAL ENTRY. You must mail or hand-deliver a copy of the NOTICE OF APPEAL to all other parties. You may consult with or hire an attorney at this stage. The appeal will involve additional costs. You may be eligible to have the filing fee waived by filing a POVERTY AFFIDAVIT. The case is stayed, or paused, while the appeal is pending.
7. If you lose your case on appeal, you likely will be ordered to pay the winning party's reasonable attorney's fees.
8. If you win your case on appeal, refer to step numbers 1-5 above of these Instructions After the Judge Makes a Decision.

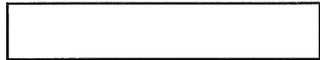
If the Defendant files a DEFENDANT'S CLAIM and wins the claim:

9. If you want to appeal, refer to step numbers 6-7 above.
10. If you do not appeal, the Defendant should mail you a copy of the JOURNAL ENTRY and a STATEMENT OF ASSETS within 14 days after the file-stamped date on the JOURNAL ENTRY. If you appeal and lose, the Defendant should mail you the JOURNAL ENTRY and STATEMENT OF ASSETS at that time.
11. Complete the STATEMENT OF ASSETS and give it to the court clerk within 30 days. The court clerk then will mail the STATEMENT OF ASSETS to the Defendant.
12. The Defendant may attempt to garnish your wages or your bank account or attach your property (i.e., the sheriff may seize the property and sell it) to pay the judgment.
13. If you do not complete and file the STATEMENT OF ASSETS within 30 days, the court may issue a CITATION FOR CONTEMPT and punish you for failing to submit the STATEMENT OF ASSETS.

GETTING HELP

- The Kansas Judicial Branch provides resources for people who represent themselves in court without an attorney and information about how to get legal help. You can find that information at <https://www.kscourts.org/>. Information about the small claims process is available at <https://www.kscourts.org/Public/Small-Claims>.

- Laws about the small claims process are K.S.A. 61-2701 – 61-2714.



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 (Mark only one - 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)

- | | | | |
|---|---|---|---|
| <p>TORT</p> <ul style="list-style-type: none"> <input type="checkbox"/> Asbestos Product Liability <input type="checkbox"/> Automobile Tort <input type="checkbox"/> Intentional Tort <input type="checkbox"/> Legal Malpractice <input type="checkbox"/> Medical Malpractice <input type="checkbox"/> Other Professional Malpractice <input type="checkbox"/> Premises Liability <input type="checkbox"/> Slander/Libel/Defamation <input type="checkbox"/> Tobacco Product Liability <input type="checkbox"/> Toxic/Other Product Liability <input type="checkbox"/> Other Tort | <p>CONTRACT</p> <ul style="list-style-type: none"> <input type="checkbox"/> Buyer Plaintiff <input type="checkbox"/> Employment Dispute - Discrimination <input type="checkbox"/> Employment Dispute - Other <input type="checkbox"/> Fraud <input type="checkbox"/> Landlord/Tenant - Forcible Detainer <input type="checkbox"/> Landlord/Tenant Dispute - Other <input type="checkbox"/> Seller Plaintiff (debt collection) <input type="checkbox"/> Other Contract <p>CIVIL APPEALS</p> <ul style="list-style-type: none"> <input type="checkbox"/> Administrative Agency <input type="checkbox"/> Other Civil Appeal <input type="checkbox"/> Tax Appeal | <p>REAL PROPERTY</p> <ul style="list-style-type: none"> <input type="checkbox"/> Eminent Domain <input type="checkbox"/> Mortgage Foreclosure <input type="checkbox"/> Other Real Property <input type="checkbox"/> Tax Foreclosure <p>MISCELLANEOUS</p> <ul style="list-style-type: none"> <input type="checkbox"/> 60-1507 <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> Other Writs <input type="checkbox"/> Name Change <input type="checkbox"/> Post Judgment Elevation LM to CV <input type="checkbox"/> Transfer Pre-Judgment LM to CV | <ul style="list-style-type: none"> <input type="checkbox"/> STATE TAX WARRANT <input type="checkbox"/> OTHER CIVIL <input checked="" type="checkbox"/> SMALL CLAIMS |
|---|---|---|---|

DOMESTIC

- MARRIAGE DISSOLUTION/DIVORCE** **PROTECTION FROM ABUSE** **PROTECTION FROM STALKING** **UIFSA**
- OTHER DOMESTIC RELATIONS** **NON-DIVORCE SUPPORT, CUSTODY OR VISITATION** **PATERNITY**
- DOMESTIC FOREIGN JUDGMENT (OUT OF COUNTY)**

PROBATE/ESTATE

- | | | |
|---|---|--|
| <p>GUARDIAN/CONSERVATOR</p> <ul style="list-style-type: none"> <input type="checkbox"/> Conservatorship/Trusteeship <input type="checkbox"/> Guardianship - Adult <input type="checkbox"/> Guardianship - Minor <input type="checkbox"/> Guardian/Conservator - Adult <input type="checkbox"/> Guardian/Conservator - Minor <p>PROBATE RECORDS</p> <ul style="list-style-type: none"> <input type="checkbox"/> Probate Record - Other County <input type="checkbox"/> Probate Record - Other State | <ul style="list-style-type: none"> <input type="checkbox"/> DETERMINATION OF DESCENT <input type="checkbox"/> SEXUALLY VIOLENT PREDATOR <input type="checkbox"/> DECEDENT ESTATE <input type="checkbox"/> REFUSAL TO GRANT LETTERS <input type="checkbox"/> FILING WILL AND AFFIDAVIT <input type="checkbox"/> OTHER PROBATE/ESTATE | <ul style="list-style-type: none"> <input type="checkbox"/> ADOPTION <input type="checkbox"/> FOREIGN ADOPTION <input type="checkbox"/> CARE AND TREATMENT <input type="checkbox"/> TERMINATION OF JOINT TENANCY <input type="checkbox"/> TERMINATION OF LIFE ESTATE |
|---|---|--|

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

SUMMONS ATTACHED: YES **SHERIFF'S PROCESS FEE ATTACHED** YES
 NO NO

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

Self-Represented Litigant Certification Form

By signing this form, I certify that the attached filing complies with the certification requirements in the Temporary Rule for Filing in a District Court by a Self-Represented Litigant.

I CERTIFY: *(You must complete this section.)*

- I signed the attached filing and provided my name, address, telephone number, email address (if available), and fax number (if available).

I ALSO CERTIFY: *(Only complete one of the next two sections.)*

My document **does not contain prohibited personally identifiable information** (“PII”). I checked my document for PII and made sure that my document meets the requirements of the Temporary Rule. It meets those requirements because:

- my document does not include any of the items listed in Supreme Court Rule 24(b). *(This list is printed on the back of this form for reference.)*
- my document is a Kansas Judicial Council form and I have only provided information that is required on the form.
- the information in my document meets an exception in Supreme Court Rule 24(c). *(This list is printed on the back of this form for reference.)*

OR:

My document **may contain prohibited PII**, but I am asking the court to file it confidentially under seal for the following reason: *(Choose one.)*

- the court entered a prior order on _____ that seals this document.
- the document I am filing now asks the court to issue an order to seal a different document that is not yet filed *(describe the document without using PII)*: _____.
- the document I am filing now asks the court to seal a document that is already filed in this case *(describe the document without using PII)*: _____.

Date: _____

Signature: _____

Name of Party: _____

Personally Identifiable Information – Supreme Court Rule 24(b)

- (1) the name of a minor who is not a named party in a case and, if applicable, the name of a person whose identity could reveal the name of a minor who is not a named party in a case;
- (2) the name of an alleged victim of a sex crime;
- (3) the name of a petitioner in a protection from abuse case;
- (4) the name of a petitioner in a protection from stalking, sexual assault, or human trafficking case;
- (5) the name of a juror or venire member;
- (6) a person's date of birth except for the year;
- (7) any portion of the following:
 - (A) an email address except when required by statute or rule;
 - (B) a computer username, password, or PIN; and
 - (C) a DNA profile or other biometric information;
- (8) the following numbers except for the last four digits:
 - (A) a Social Security number;
 - (B) a financial account number, including a bank, credit card, and debit card account;
 - (C) a taxpayer identification number (TIN);
 - (D) an employee identification number;
 - (E) a driver's license or nondriver's identification number;
 - (F) a passport number;
 - (G) a brokerage account number;
 - (H) an insurance policy account number;
 - (I) a loan account number;
 - (J) a customer account number;
 - (K) a patient or health care number;
 - (L) a student identification number; and
 - (M) a vehicle identification number (VIN);
- (9) any information identified as personally identifiable information by court order; and
- (10) the physical address of an individual's residence.

Exceptions – Supreme Court Rule 24(c)

- (1) an account number that identifies the property alleged to be the subject of a proceeding;
- (2) the name of an emancipated minor;
- (3) information used by the court for case maintenance purposes that is not accessible by the public;
- (4) information a party's attorney or a self-represented litigant reasonably believes is necessary or material to an issue before the court;
- (5) the first name, initials, or pseudonym of any person identified in Rule 24(j)(2)(A) to (j)(2)(E);
- (6) any information required to be included by statute or rule; and
- (7) any information in a transcript.

NOTE: Supreme Court Rule 24 includes multiple comments that explain the rule's requirements and exceptions. The summary above is provided for reference, but you should read the rule with comments to fully understand the rule. You will find the full rule here:

<https://www.kscourts.org/KSCourts/media/KsCourts/Rules/Rule-24.pdf>



DISTRICT COURT OF _____ COUNTY, KANSAS

_____, Plaintiff

CASE NO. _____

v.

_____, Defendant

Pursuant to Chapter 61 of Kansas Statutes Annotated

SMALL CLAIMS PETITION

Under K.S.A. 61-2701, et seq.

1. *Statement of claim:*

I, _____, have read the instructions for completing this form and assert this claim against _____, Defendant:

Briefly state the facts of this dispute.

2. *Demand for judgment* (What do you want the Court to order?):

Based on the claim stated above, I demand this judgment against Defendant:

A. Payment of \$ _____, plus interest, costs, and any damages awarded under K.S.A. 60-2610.

B. Recovery of this personal property, plus costs:

This property has an estimated value of \$ _____.

I, _____, declare under penalty of perjury that, to the best of my knowledge and belief, the claim stated above against Defendant (including the estimated value of any property I am asking to recover) is a just and true statement, not including any valid claim or defense Defendant may have.

Signature of Plaintiff

Printed Name: _____

Address: _____

City, State Zip: _____

Phone #: _____

Fax # (if you have one): _____

Email address: _____

DISTRICT COURT OF FRANKLIN COUNTY, KANSAS

_____, Plaintiff

CASE NO. _____

v.

_____, Defendant

REQUEST FOR SERVICE – SMALL CLAIMS

You must give "legal notice" to the defendant that you have filed a Small Claims Petition. Your Small Claims Petition must be filed and stamped with the date it was received by the Clerk of the District Court. The defendant must get a copy of the file-stamped Small Claims Petition through one of the ways listed below.

Plaintiff requests the Clerk of the District Court to issue a summons and petition for

_____ (name), whose address for service is:

_____ (address)

_____ (city, state, zip)

Select **ONE** of the five boxes below to show how you want to give "legal notice" to the defendant and complete any blanks in that section.

Personal or Residential Service by Sheriff:

Check option 1 or 2 if you want the sheriff to give the paperwork to the defendant.

Option 1: If the defendant lives in Kansas, you must fill out the Summons form and pay a sheriff's service fee.

Option 2: If the defendant lives in a state other than Kansas, fill out the Summons form. You must find out the procedures required by the sheriff in that state and county and pay any fees required.

SMALL CLAIMS CASES

Where can the case be filed?

Venue Information Sheet

- A. **If suing an individual who is a Kansas resident**, you may file in the district court of any county in which:
1. Defendant resides.
 2. Plaintiff lives if Defendant is served there.
 3. Defendant works, if Defendant is served there.
 4. Property sought is located.
 5. The claim arose and Defendant resided at the time.
- B. **If suing a Kansas corporation or a corporation registered to do business in Kansas**, you may file in the district court of any county in which:
1. Defendant has a registered business.
 2. Defendant is doing business when the suit is filed.
 3. The claim arose.
 4. The property sought is located.
- C. **If suing an individual who does not reside in Kansas or a corporation that is not registered to do business in Kansas**, you may file in the district court of any county in which:
1. Plaintiff resides.
 2. Defendant is served.
 3. Defendant is doing business at the time the case is filed.
 4. Defendant has property.
- Laws about where to file a small claims case are in K.S.A. 61-2708 and K.S.A. 61-3402 – 61-3409.

DISTRICT COURT OF FRANKLIN COUNTY, KANSAS

_____, Plaintiff

CASE NO. _____

v.

_____, Defendant

Defendant's Address:

SMALL CLAIMS SUMMONS

To the above-named Defendant:

Plaintiff has filed a claim against you under the small claims procedure of this Court. Plaintiff's written claim and demand for judgment against you are stated in the Petition which is served to you with this Summons.

A trial will be held at _____ (time) on _____ (date),
at _____ (place of trial and address).

You must be present in person at the trial or the Court will enter judgment against you. Except as provided by law, neither you nor the Plaintiff can have an attorney with you during the trial.

If you want to present witnesses, books, receipts, or other papers at the trial, you should bring them with you to the trial. If you want to require witnesses to appear at the trial, see the Clerk of the Court as soon as possible for assistance.

If you admit the claim, but want additional time to satisfy Plaintiff's demands, you must come to the trial to make this request and explain the circumstances to the judge.

If you have a claim against the Plaintiff, which is part of the same transaction or occurrence (which means the same event or circumstance) of Plaintiff's claim against you and your claim does not exceed \$4,000, you must complete the form for "Defendant's Claim" which is included with this summons, and return it to the Clerk of the Court on or before the time set for the trial. If your

claim against Plaintiff exceeds \$4,000, you may complete and return the form for "Defendant's Claim" on or before the time set for trial.

Dated: _____

Clerk or Deputy

Clerk's Seal

DISTRICT COURT OF FRANKLIN COUNTY, KANSAS

_____, Plaintiff

CASE NO. _____

v.

_____, Defendant

RETURN ON SERVICE OF SUMMONS

I certify that I served this Summons, Petition, and a form for “Defendant’s Claim” in the following manner:

(1) Personal service. By delivering a copy of the summons and a copy of the petition on the dates below to each of the following Defendants:

_____ (Date) _____

(Name of Defendant)

_____ (Date) _____

(Name of Defendant)

(2) Residence service. By leaving a copy of the summons and a copy of the petition on the dates below at the usual place of residence of each of the following Defendants:

_____ (Date) _____

(Name of Defendant)

_____ (Date) _____

(Name of Defendant)

(3) No service. The following Defendants were not found in this county:

_____ (Date) _____

(Name of Defendant)

_____ (Date) _____

(Name of Defendant)

Dated: _____

(Signature)

(Printed Name)

(Title if applicable)

DISTRICT COURT OF FRANKLIN COUNTY, KANSAS

_____, Plaintiff

CASE NO. _____

v.

_____, Defendant

JOURNAL ENTRY

On _____ (date), a hearing was held in this matter.

_____ appeared as Plaintiff.

_____ appeared as Defendant.

Plaintiff failed to appear, and the case is dismissed.

Defendant failed to appear, and is in default.

The Court finds as follows:

1. This Court has jurisdiction over the parties and subject matter, and venue is proper in this county. Defendant has been properly served with summons and has been notified of today's hearing.

A trial was held and completed.

OR

The case is continued to another hearing on _____ (date).

Plaintiff is required to complete service on Defendant.

2. These Orders are entered:

- Plaintiff's Claim Against Defendant:** Judgment is entered in favor of Plaintiff against Defendant in the amount of \$_____, plus costs of this action and interest at _____% per annum from the file stamp date until paid in full.

- Defendant's Claim Against Plaintiff:** Judgment is entered in favor of Defendant against Plaintiff in the amount of \$_____, plus interest at _____% per annum from the file stamp date until paid in full.

- Recovery of Property:** _____ is granted immediate possession of the property named in the (Petition) (Defendant's Claim), or \$_____, plus interest from the file stamp date until paid in full.

3. The judgment creditor in this case is the party who is owed money, and the judgment debtor is the party who owes the money. If the judgment debtor does not pay the judgment, no later than 14 days after the file stamp date, the judgment creditor must mail a copy of this Journal Entry of Judgment to the judgment debtor, together with the "Statement of Assets" form. The judgment debtor must complete the "Statement of Assets" form and return it to the Clerk of the District Court no later than 30 days after receiving the form.

4. **Other Orders:** _____

_____.

IT IS SO ORDERED.

Judge

CERTIFICATE OF MAILING

I certify that a true copy of this Journal Entry was sent by first class mail, postage prepaid,
on _____ (date), to: _____

at the address(es) set forth above.

Clerk or Deputy

**NOTICE TO CLERK OF DISTRICT COURT
DO NOT FILE COPY OR RETAIN**

DISTRICT COURT OF FRANKLIN COUNTY, KANSAS

_____, Plaintiff

v.

Case No. _____

_____, Defendant

JUDGMENT DEBTOR'S STATEMENT OF ASSETS

TO THE JUDGMENT CREDITOR (person that is owed money):

If the Judgment Debtor has not paid you the amount of the judgment with costs and interest due within 14 days after the file-stamped date of the Journal Entry, mail a copy of the Journal Entry and this form to the Judgment Debtor. You must also file a Small Claims Certificate of Mailing with the clerk to show you sent the documents.

TO THE JUDGMENT DEBTOR (person that owes money):

A judgment has been entered against you and unless you pay the judgment, you must fill out this form and mail it or bring it to the court clerk within 30 days after the day you received it. If you do not complete and return this form within that time, the Court may impose penalties on you.

If the Judgment Debtor is an individual, complete paragraphs 1 through 8 of this form. If the Judgment Debtor is a corporation, partnership, or other legal entity, omit paragraphs 1 through 8 and follow the instructions on page 4.

EMPLOYMENT

1. I am ___ employed; ___ not employed.

My employer is: _____

My employer's address is: _____

2. I am paid:

Daily Weekly Every two weeks Twice a month

Monthly Other (explain) _____

3. My typical gross pay each pay period is \$_____.

4. My typical take home pay each pay period is \$_____.

CASH AND BANK DEPOSITS

5. I have the following assets:

Cash on hand: \$_____

Money in banks, savings and loans, credit unions, and other financial institutions:

Name & Address of Financial Institution	Account Number	Individual or Joint	Balance
			\$
			\$
			\$

PROPERTY

6. I own the following automobiles, other vehicles, or boats (in my name or jointly):

Make and Year	Fair Market Value	Individual or Joint	Amount Owed
	\$		\$
	\$		\$
	\$		\$

7. I own the following personal property not listed above:

(List anything of value owned in your name or jointly. Do not list household furniture and furnishings, appliances, or clothing.)

Description	Fair Market Value	Individual or Joint	Address Where Property is Located
	\$		
	\$		
	\$		

8. I own the following real estate (in my name or jointly):

Address of Real Estate	Fair Market Value	Individual or Joint	Amount Owed
	\$		\$
	\$		\$

CORPORATION, PARTNERSHIP, OR OTHER LEGAL ENTITY: Attach to this form a statement describing the nature, value, and exact location of all assets of the corporation, partners, or other legal entity, and a statement showing that the person signing this form is authorized to submit this form on behalf of the corporation, partnership, or other legal entity.

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

Executed on: _____ (date)

Type or Print Name

Signature of Judgment of Debtor or
Authorized Agent of Corporation, Partnership,
or Other Legal Entity

DISTRICT COURT OF FRANKLIN COUNTY, KANSAS

_____, Plaintiff

v.

Case No. _____

_____, Defendant

REQUEST FOR CITATION FOR CONTEMPT – SMALL CLAIMS

The Judgment Creditor requests that the court issue a Citation for Contempt to the Judgment Debtor. The court ordered the Judgment Debtor to complete the “Statement of Assets” form and return it to the Clerk of the District Court no later than 30 days after receiving the form. The Judgment Debtor failed to complete and return the form.

The Judgment Creditor requests that the court set a date and time for a hearing.

Signature of Judgment Creditor
or Judgment Creditor’s Attorney

If the paragraph below applies, check the box:

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

DISTRICT COURT OF FRANKLIN COUNTY, KANSAS

_____, Plaintiff

v.

Case No. _____

_____, Defendant

CITATION FOR CONTEMPT – SMALL CLAIMS

TO: _____ (Judgment Debtor)

You were ordered by this Court to submit, within 30 days, a verified Statement of Assets describing the location and nature of your property and assets. You did not submit this Statement.

THEREFORE, you are ordered to personally appear before this Court at _____ a.m.p.m.

on _____, 20__, at _____

_____ (place of hearing and address) in Division _____,

TO SHOW CAUSE WHY YOU SHOULD NOT BE PUNISHED FOR CONTEMPT OF COURT for your failure to submit the Statement of Assets as ordered.

Please bring the completed Statement of Assets and these other papers with

you: _____.

Dated: _____, 20__.

JUDGE

If the paragraph below applies, check the box:

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

RETURN

I certify that I served a copy of this Citation on _____ in the following manner: (Name of Judgment Debtor)

_____ **Personal Service** – by delivering or offering to deliver the documents to the above-named person on _____ (date).

_____ **No Service** – The above-named person was not served for the following reason(s):

_____.

I declare under penalty of perjury that the foregoing Return on Service is true and correct.

Executed on _____, 20__.

(Signature of Officer)

(Title of Officer)