

Instructions for Filing a Claim in a Forfeiture Action

Caution: You may want to have an attorney review your completed form before you mail it. This is a basic form and may not cover every situation. Use of forms without the assistance of an attorney could harm your legal rights.

Read Directions Completely

1. Complete the Claim form. **Please Type or Print Neatly.** Where your name is required, insert your full legal name.

Paragraph 4 – List the property in which you are claiming an interest. It must be property listed in the “Defendants” section of the case caption in the upper left corner of the Notice of Pending Forfeiture or Complaint that you received.

Paragraph 5 – Give details about your interest in the property. For example, state whether you own or lease or have some other kind of interest. Also state whether you are the only interest-holder or whether your interest is less than 100%.

2. Sign the completed Claim form. Your signature is your affirmation that all of the information in the petition is accurate to the best of your knowledge.
3. Complete the Certificate of Service and sign it.
4. Make 2 additional copies of the Claim and Certificate of Service. Mail one copy to the seizing agency and one copy to the plaintiff’s attorney. You must mail the copies by certified mail, return receipt requested. **The Claim must be mailed within 60 days after the effective date of notice of pending forfeiture.**

IN THE _____ JUDICIAL DISTRICT
DISTRICT COURT OF _____ COUNTY, KANSAS

Plaintiff,

v.

Case No. _____

Defendant(s).

CLAIM

1. I am the claimant and my name is _____.

2. The name of the plaintiff's attorney who authorized the **Notice of Pending Forfeiture** or **Complaint** is:

(Insert on the lines below the plaintiff's attorney's name and address.)

3. I will accept mail at the following address:

4. I claim an interest in the following property seized by law enforcement:

5. The nature and extent of my interest in the property is as follows:

6. I obtained an interest in the property as follows:

(Insert on the lines below a detailed description of WHEN and HOW you obtained an interest in the property.)

I declare under penalty of perjury under the laws of the state of Kansas that the foregoing is true and correct.

Date signed: _____
_____ *(Signature of claimant)*

Claimant's Name and Address: _____

Claimant's Telephone Number: _____

Claimant's Email Address (if any) _____

CERTIFICATE OF SERVICE

I served the Claim by mailing a copy by certified mail, return receipt requested, to the seizing agency and the plaintiff's attorney as follows:

(Insert on the lines below the plaintiff's attorney's name and address.)

(Insert on the lines below the name of the seizing agency and the agency's address.)

Date signed: _____

(Signature of claimant)