

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, KANSAS

In the Matter of the Marriage of

\_\_\_\_\_  
(First Name) (Middle Name) (Last Name) (Jr./Sr./III)  
(Enter your full legal name above)

and

Case Number \_\_\_\_\_  
(Will be assigned when case is filed)

\_\_\_\_\_  
(First Name) (Middle Name) (Last Name) (Jr./Sr./III)  
(Enter your spouse's legal name above)

**REQUEST AND SERVICE INSTRUCTION FORM**

You must give "legal notice" to your spouse that you have filed a Petition for Divorce. Your Petition for Divorce must be filed and stamped with the date it was received by the Clerk of the District Court. Your spouse must get copies of this file-stamped Petition for Divorce and Summons through one of the ways listed below.

Select **ONE** of the five boxes to show how you want to give "legal notice" to your spouse.

**Personal Service by Sheriff:**

Check options a or b if you want the sheriff to give the paperwork to your spouse.

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

*Option b:* If your spouse lives in a state other than Kansas, fill out the Summons form. You have to find out the procedures required by the sheriff in that state and county and to pay any fees required.

- a. *Personal Service inside Kansas* – Service through the office of the Sheriff of \_\_\_\_\_ County, State of Kansas, other than by Service by Return Receipt. The clerk of the court will give your documents to the sheriff.

- b. *Personal Service outside Kansas* – Out of state service by service through the Sheriff of \_\_\_\_\_ County, State of \_\_\_\_\_ (your spouse's location) by other than Service by Return Receipt. The clerk of the court will give your documents to the sheriff.

*Sheriff's office address (where the Clerk will send the service packet to the sheriff):*

\_\_\_\_\_  
(Name of Sheriff's Office)

\_\_\_\_\_  
(Street)

\_\_\_\_\_  
(City)

\_\_\_\_\_  
(State)

\_\_\_\_\_  
(Zip Code)

*Sheriff's office phone number:*

\_\_\_\_\_  
(Telephone Number with Area Code)

**Service by Return Receipt:**

Check options c or d if you want the file-stamped paperwork mailed to your spouse.

*Option c:* After getting the file-stamped copy of the Petition for Divorce and the Summons from the Clerk of the District Court, send the documents to your spouse using return receipt delivery, which can be by certified mail, priority mail, commercial courier service, overnight delivery service or other reliable personal delivery service. For example, these services may be offered by the United States Postal Service, FedEx, or UPS. Once the documents are delivered to your spouse, get the written or electronic receipt from the delivery service and attach it to the Return of Service by Return Receipt form. Complete the Return of Service by Return Receipt form and file it with the Clerk of the District Court's office.

*Option d:* If you want to have the sheriff send the documents to your spouse using return receipt delivery, the Clerk of the District Court will get the documents to the sheriff. The sheriff will send the documents and file the Return of Service by Return Receipt with the court.

- c. *Service by Return Receipt inside or outside Kansas* – Return Receipt service by the Petitioner. You are responsible for sending the documents to your spouse using return receipt delivery, which can be by certified mail, priority mail, commercial courier service, overnight delivery service or other reliable personal delivery service to the party addressed. The written or electronic receipt must show who the documents were delivered to, the date of delivery, the address where delivered, and the person or entity completing delivery. Complete the Return of Service by Return Receipt form, attach the written or electronic receipt, and file it with the Clerk of the District Court's office. You must file the Return of Service by Return Receipt form before service is complete.

- d. *Service by Return Receipt inside or outside Kansas by Sheriff* – Service by Return Receipt by the office of the Sheriff of \_\_\_\_\_ County, State of \_\_\_\_\_, AT YOUR EXPENSE. The Sheriff will be responsible for obtaining service and submitting the return of service.

If the sheriff's office is NOT in Kansas, fill out the name, address, and phone number of the sheriff's office below.

*Sheriff's office address (where the Clerk will send the service packet to the sheriff):*

\_\_\_\_\_  
*(Name of Sheriff's Office)*

\_\_\_\_\_  
*(Street)*

\_\_\_\_\_  
*(City)*

\_\_\_\_\_  
*(State)*

\_\_\_\_\_  
*(Zip Code)*

*Sheriff's office phone number:*

\_\_\_\_\_  
*(Telephone Number with Area Code)*

**No Service Required**

Check option e if your spouse will complete a Voluntary Entry of Appearance or you are going to ask the court to allow service by publication.

**Voluntary Entry of Appearance:**

Give your spouse a copy of the completed Petition for Divorce and Domestic Relations Affidavit. After getting the copies of those forms, your spouse can fill out a Voluntary Entry of Appearance form. Your spouse must sign this form in front of a notary public. The completed Voluntary Entry of Appearance with your spouse's original signature must then be filed with the Clerk of the District Court.

**Publication:**

If you cannot provide notice of the divorce to your spouse through sheriff's service, service by return receipt, or voluntary entry of appearance, then you may be able to provide notice of the divorce by publishing notice in a local newspaper. To get "publication service," you must ask for permission from the judge by filing the Affidavit for Service by Publication form. If the judge says you can use publication service, the judge will sign the Order Allowing Service by Publication. After you get the signed Order Allowing Service by Publication, you must publish notice following the process set out in K.S.A. 60-307. You must obtain "proof of publication" from the newspaper and file the proof with the court. Court personnel cannot help you with this process.

- e. No service required as my spouse will complete a Voluntary Entry of Appearance, or I am filing an Affidavit for Service by Publication.

X \_\_\_\_\_  
(Sign above) (Print your name above.)

Your address:

\_\_\_\_\_  
(Street)

\_\_\_\_\_  
(City) (State) (Zip Code)

\_\_\_\_\_  
(Telephone Number with Area Code) (Email Address)