

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

In the Matter of the Estate of

Case No. \_\_\_\_\_

\_\_\_\_\_, Deceased  
(Petition Pursuant to K.S.A. Chapter 59)

**PETITION FOR ALLOWANCE AND  
CLASSIFICATION OF DEMAND**

Claimant, (name) \_\_\_\_\_ states:

1. Claimant has a valid demand against the estate of the decedent, as follows:

<i>Date</i>	<i>Item</i>	<i>Amount</i>
_____	_____	_____
_____	_____	_____
_____	_____	_____

The Estate  is  is not entitled to an offset, as follows: \_\_\_\_\_

Net amount of demand: \_\_\_\_\_

2. The demand should be allowed and classified as a \_\_\_\_\_ class demand.  
(See Comment section for description of first, second, third and fourth class demands.)

Claimant requests that this demand be allowed in the amount set forth above and classified as a \_\_\_\_\_ class demand.

\_\_\_\_\_  
Signature of Claimant

Printed Name: \_\_\_\_\_

S.C. Registration # (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone #: \_\_\_\_\_

Fax # (if you have one): \_\_\_\_\_

Email address: \_\_\_\_\_

I swear or affirm that I have read the above Petition for Allowance and Classification of Demand, and that all the statements made therein are true.

\_\_\_\_\_  
Signature of Claimant

STATE OF KANSAS

COUNTY OF \_\_\_\_\_

SIGNED AND SWORN to (or affirmed) before me on \_\_\_\_\_ by

\_\_\_\_\_.

\_\_\_\_\_  
Notary Public

(OFFICIAL STAMP)

My Commission Expires:

\_\_\_\_\_

## **Statutory Authority**

K.S.A. 53-601; 59-1301; 59-2237; 59-2239; 59-2240; 59-2241; S. Ct. Rule 111.

## **Time**

This process can be used only if a probate proceeding has been opened within six months of the death of the decedent. Demands must be presented by filing a Petition for Allowance of Demand within the later of four months after the first published notice to creditors or 30 days after actual notice was given. K.S.A. 59-2239.

## **Comment**

The petition must include a statement of any offset to which the estate is entitled. A copy of the demand as filed must be provided to the personal representative of the estate. The court may set the matter for hearing or the executor or administrator or the petitioner who has filed the demand may request a hearing. K.S.A. 59-2237.

In paragraph 2, the petitioner must state whether the demand is a first, second, third or fourth class demand. K.S.A. 59-1301 classifies demands as follows:

- First class: funeral expenses (as appropriate and reasonably necessary) and claims for medical assistance paid under K.S.A. 39-709
- Second class: costs and expenses of administration of the estate and last sickness expenses, including servants' wages (as appropriate and necessary)
- Third class: Judgments rendered against the decedent before death
- Fourth class: All other demands, including the cost of any appropriate tombstone or marker and the lettering on it.

If the demand is a demand not yet due pursuant to K.S.A. 59-2240, or a contingent demand pursuant to K.S.A. 59-2241, that allegation should be made in the petition.