

Instructions for RESPONDING to a DCF Petition for Support

(You may need to copy or download the following forms: Instructions, Answer to Petition For Support, and Short Form Domestic Relations Affidavit.)

Read these directions carefully and completely. When completing forms, type or print neatly in ink.

The Judicial Council forms are for non-commercial use only. The forms are copyrighted by the Kansas Judicial Council and are provided free of charge. The forms cannot be sold, republished, or otherwise transferred from one person to another for compensation or other value without the Kansas Judicial Council's express written permission.

WARNINGS

- 1. The forms provided by the Judicial Council are basic forms. They do not deal with every situation. Child support can be complicated and using legal forms without an attorney's help can harm your legal rights.**
- 2. The Clerk of the District Court cannot help you prepare these forms. The Clerk cannot give legal advice about your rights or responsibilities and can only provide very limited information about the court process. If you have any questions, you should contact an attorney.**
- 3. It is illegal for anyone who is not licensed to practice law in Kansas to: (A) give another person advice about that other person's legal rights or duties; (B) help another person to select, draft, or complete any legal document that affects the other person's rights or duties; (C) represent another person in court; and (D) help another person negotiate legal rights or responsibilities. *If you paid a company for these forms, contact the Attorney General's consumer complaint hotline and the Kansas Judicial Council.***
- 4. Courts require everyone to follow court rules. You must follow the court rules or you will not be able to finish your case. Self-represented persons are expected to know the rules as if you were an attorney.**
- 5. If you are active-duty military, you should consult an attorney.**

Facts About Child Support in Kansas:

- Case Caption:

The section above the title of every document is called the case caption. It identifies which county the case was filed in, the case number, and the names of the people involved in the case. The person who originally filed the petition is listed on the top line and is called the "Plaintiff" or "Petitioner." The person who did not file the petition is listed on the lower line and is called the "Defendant" or "Respondent." These name designations remain the same for the entire case including in all documents filed with the court after the child support order has been established.

- Child support is calculated using the Kansas Child Support Guidelines, which can be found on the Kansas Judicial Branch website at <http://www.kscourts.org/rules-procedures-forms/Child-Support-Guidelines/default.asp>.

Instructions for responding to a petition for support:

1. You have the right to file an Answer to a Petition for Support but you are not required to do so
2. If you choose to respond to the Petition for Support, complete the Answer form. At the end of the Answer form is an area labeled “Certificate of Service and Mailing.” Fill in the address of the DCF Child Support Services attorney (correct address can be found on the petition and in the summons), and the name and address of the other parent if known. You must mail copies of these documents to DCF and the other parent on the same day you file the documents with the Clerk of the District Court.
3. File the original Answer and required copies with the Clerk of the District Court. (Check with the Clerk of the District Court or the local rules to determine the number of additional copies you need.)

The Clerk of the District Court will place a stamp (“file stamp”) on the front of the Answer document indicating when it was received. This stamp shows the document has been “filed.”

4. On the same day you file the Answer with the Clerk of the District Court, you must mail a copy of the Answer via U.S. Mail, postage prepaid, to the attorney representing the Kansas Department for Children and Families. The attorney’s name and address are on the petition and in the summons. You must also mail a copy of the Answer to the other parent if you know the other parent’s address.
5. You must file a Short Form Domestic Relations Affidavit before your court date. You can file your Short Form Domestic Relations Affidavit with your Answer.

When you fill out a Short Form Domestic Relations Affidavit, file it with the Clerk of the District Court just like you filed the Answer. On the same day you file the Short Form Domestic Relations Affidavit with the Clerk of the District Court, you must mail a copy of your Short Form Domestic Relations Affidavit via U.S. Mail, postage prepaid, to the attorney representing the Kansas Department for Children and Families. The attorney’s name and address are on the petition and in the summons. You must also mail a copy of your Short Form Domestic Relations Affidavit to the other parent if you know the other parent’s address.

===== **Instructions prepared by the Kansas Judicial Council** =====