

DISTRICT COURT OF _____ 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.

Plaintiff requests service of process as indicated below:

1. *Personal or residential service by sheriff in Kansas* – Service by the office of the Sheriff of _____ County, State of Kansas, other than Service by Return Receipt. The clerk of the court will give your documents to the sheriff.

2. *Personal or residential service by sheriff outside of Kansas* – Out of state service by the Sheriff of _____ County, State of _____ (the defendant’s location), 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 with Area Code)

Personal or Residential Service by process server appointed under the provisions of K.S.A. 60-3003:

Check option 3 if you want a process server appointed by the judge or clerk of the district court to give the paperwork to the defendant. You must find out the court’s procedure for appointing a process server and pay any fees required. Complete the Motion for Appointment of Special Process Server and the Order Appointing Special Process Server and file them with the Clerk of the District Court.

3. *Service by an authorized process server.*

Service by Return Receipt:

Check options 4 or 5 if you want the file-stamped paperwork mailed to the defendant.

Option 4: After getting the file-stamped copy of the Small Claims Petition and the Summons from the Clerk of the District Court, send the documents to the defendant 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 the defendant, 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 5: If you want the sheriff to send the documents to the defendant 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.

- 4. *Service by Return Receipt inside or outside Kansas by Plaintiff* – Return Receipt by the Plaintiff. You are responsible for sending the documents to the defendant using one of the methods listed above and submitting the return of service to the Clerk of the District Court

- 5. *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 is 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 with Area Code)

Plaintiff Signature

Printed Name: _____

Address: _____

City, State Zip: _____

Phone #: _____

Fax # (if you have one): _____

Email address: _____