

IN THE \_\_\_\_\_ JUDICIAL DISTRICT  
DISTRICT COURT OF \_\_\_\_\_ COUNTY, KANSAS  
[SITTING AT \_\_\_\_\_]  
*(Name of city, if more than one court location in county)*

\_\_\_\_\_, )  
Plaintiff )  
v )  
\_\_\_\_\_, )  
Defendant and Third-party plaintiff. )  
v )  
\_\_\_\_\_, )  
Third-party defendant )

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

**THIRD-PARTY SUMMONS**

To: \_\_\_\_\_,  
*(Third-party Defendant's name )*

A lawsuit has been filed against defendant \_\_\_\_\_, who as third-party plaintiff is making this claim against you to pay part or all of what the third-party plaintiff may owe to the plaintiff \_\_\_\_\_.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff and on the defendant an answer to the attached third-party petition or a motion under K.S.A. 60-212. Under Kansas Supreme Court Rule 113, you may seek from the clerk of the court an extension of up to 14 additional days to serve and to file an answer or a K.S.A. 60-212 motion.

If you fail within 21 days to serve and to file an answer or a K.S.A. 60-212 motion or obtain a Rule 113 extension, the court may enter default judgment against you for the relief demanded in the third-party petition. If you were served outside of Kansas, however, the court may not enter default judgment against you until at least 30 days after service of this summons.

The answer or K.S.A. 60-212 motion must be served on the plaintiff's attorney, or the plaintiff if plaintiff has no attorney, at the following address:

\_\_\_\_\_  
*(Attorney's name or Plaintiff's name)*

\_\_\_\_\_  
*(Attorney's address or Plaintiff's address)*

The answer or K.S.A. 60-212 motion also must be served on the defendant's attorney, or the defendant if defendant has no attorney, at the following address:

\_\_\_\_\_  
*(Attorney's name or Defendant/Third-party Plaintiff's name)*

\_\_\_\_\_  
*(Attorney's address or Defendant/Third-party Plaintiff's address)*

You also must file your answer or K.S.A. 60-212 motion with the court and serve it on any other parties.

When you file an answer, you must state as a counterclaim(s) any related claim(s) that you may have against the defendant/third-party plaintiff. If you fail to do so you will thereafter be barred from making such claim(s) in any other action.

Date \_\_\_\_\_

Clerk's Seal

Clerk of the District Court.

By \_\_\_\_\_  
Deputy

**RETURN OF SERVICE OF SUMMONS ON AN INDIVIDUAL**

I certify that I served a copy of this summons and a copy of the petition and

\_\_\_\_\_ *(Insert name of any other documents served)*

on \_\_\_\_\_ in the following manner:  
*(Name of defendant)*

\_\_\_\_\_(1) **Personal Service** - on the \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_, by delivering or offering to deliver the documents to the above-named person;

\_\_\_\_\_(2) **Residence Service** - on the \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_, by leaving the documents at the dwelling or usual place of abode of the above-named person, with some person of suitable age and discretion who resides there;

\_\_\_\_\_(3) **Residence Service** - on the \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_, by leaving a copy of the documents at the dwelling or usual place of abode of the above-named person and mailing to that person by first-class mail a notice that the copy has been left at the individual's dwelling or place of abode;

\_\_\_\_\_(4) **Return Receipt Delivery** - by causing to be delivered on the \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_, the documents by return receipt delivery to the above-named person at the following address: \_\_\_\_\_ with delivery being made by the following person or entity: \_\_\_\_\_. A copy of the return receipt evidencing delivery is attached to this Return of Service.

\_\_\_\_\_(5) **Return Receipt Delivery Refused** - by mailing on the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_, the documents by first-class, postage prepaid, to the above-named person at the following address: \_\_\_\_\_.

\_\_\_\_\_(6) **Other Method of Service** - \_\_\_\_\_ *(Describe other method of service allowed by law)*

\_\_\_\_\_(7) **No Service.** The above-named person was not served for the following reason(s): \_\_\_\_\_



**Service by a Person other than a Law Enforcement Officer in Kansas**

**Affidavit of Service**

STATE OF KANSAS            )  
  ) ss.  
COUNTY OF \_\_\_\_\_)

I, \_\_\_\_\_, swear or affirm that the foregoing Return on Service  
  (name)  
of Summons is true and correct.

Executed on \_\_\_\_\_, 2\_\_\_\_.

\_\_\_\_\_  
*(Signature of Person Service Process)*

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

\_\_\_\_\_  
*(Signature of Person Authorized to Administer Oaths)*

**Authority**

K.S.A. 60-302, 60-213(a), 60-303, 60-308, and 60-312.