

## **Instructions for Divorce – With Children**

(Packet contains: Civil Information Sheet - Petition – Appearance - Parenting Plan – Domestic Relations Affidavit – Child Support Worksheet – Notice of Hearing - Decree – Legal Services Handout – GRASP Information)

### ***Read Directions Completely – Please Type or Print Neatly***

**Caution:** Use of forms without the assistance of a lawyer could harm your legal rights. You may want to have a lawyer review your completed forms before you file them with the court. These are basic forms and may not cover every situation.

1. Petitioner: Complete the Civil Information Sheet, Petition (except for the case and court numbers; paragraph 10 may be omitted), Parenting Plan, Domestic Relations Affidavit, and Child Support Worksheet. Give complete information on the Information Sheet. On all other forms - if an individual's Social Security number must be included, only the last four numbers shall be used –If an individual's date of birth must be included, only the year shall be used.
2. Sign the Petition and Domestic Relations Affidavit in front of a Notary.
3. File the original and 2 copies of the Petition with the Clerk of the District Court (2<sup>nd</sup> floor of the courthouse) The filing fee is \$147.
4. Obtain case and court numbers from the Clerk of the District Court when you file.
5. Notify Respondent (spouse) by providing copy of all completed forms by: waiver, sheriff's service, or mail:
  - a) By Waiver: Respondent completes the Entry of Appearance and Waiver of Service and signs it in front of a Notary. If the Respondent is given a copy of the forms before they are filed he/she may complete and sign (notarized) the Entry of Appearance and Waiver of Service and it may be filed at the same time as the forms.
  - or
  - b) By Sheriff's Service: Complete a Request and Service Instruction Form provided by the Clerk's of the District Court. File it along with a \$5.00 check payable to \_(Name of County where service will take place)\_ County Sheriff's Office. The Clerk will issue the paperwork to the Sheriff's Office.
  - or
  - c) By Mail: Mail the forms by certified mail – return receipt requested. The form: Return of Service for Certified Mail, **must** be filed with the Clerk of the District Court **after** service by certified mail (green card) is returned to you (not an option if there are temporary orders).
6. Contact the Administrative Assistant for the court to which the case has been assigned, and obtain a date and time for a hearing before the court. Mail the Notice of Hearing to the Respondent by certified mail – return receipt requested. File return with the Clerk.
7. Complete the Decree of Divorce and bring it with you to the hearing for the judge to sign.
8. Make at least two copies of the signed Decree. File the original Decree with the Clerk of the District Court and have the copies file stamped.
9. Complete a Certificate of Divorce or Annulment form. (Provided by the Clerk of the District Court. Leave it with the Clerk, who will send it to Topeka.)
10. Send one copy of the file stamped Decree to the Respondent and keep a copy for your records.