

IN THE DISTRICT COURT OF _____ COUNTY, KANSAS

In the Matter of the Marriage of

(Name of Spouse Filing)
and

Case No. _____

(Name of Other Spouse)

Is Title to Real Estate Involved? Yes No

DECREE OF DIVORCE
(WITH CHILDREN)

Please review #9 of the Instructions for Divorce – With Children prior to completing this Decree.

NOW THIS _____ day of _____, 20____, the above matter comes before the Court for final hearing.

Husband appears in person by counsel does not appear.

Wife appears in person by counsel does not appear.

Husband Wife present testimony and evidence supporting the petition.

After considering the presentation, the court finds:

1. Husband Wife was a resident in the State of Kansas for more than sixty days before the petition filing date.

2. This court has personal jurisdiction over: Husband Wife because:

3. Husband and Wife are now married.

4. This Court has the power to grant a divorce to Husband and Wife.

5. More than sixty days have passed since the petition filing date.

6. The non-filing spouse is is not now on active duty with the United States Military.

Unknown. If the non-filing spouse is on active duty, the requirements of the Servicemembers Civil Relief Act (SCRA) have have not been met.

7. Husband and Wife are incompatible and are divorced on that ground.

8. Husband Wife is restored to the former name of _____.

9. Husband and Wife cannot marry another person until thirty (30) days after entry of this Divorce Decree, or until a mandate is issued by the Kansas Appellate Courts if an appeal is taken as set out in K.S.A. 60-2106(c). Any marriage entered before that time is voidable unless Husband and Wife both waive appeal.

10. Court costs are assessed to: Husband Wife Other: _____.

11. Wife is is not pregnant. Unknown.

12. Husband and Wife have ____ children from their relationship together who are under the age of 18 years.

13. The names and dates of birth of the children now under eighteen years of age are:

a. _____ (child's name), was born in _____ (month) _____ (year).

b. _____ (child's name), was born in _____ (month) _____ (year).

c. _____ (child's name), was born in _____ (month) _____ (year).

d. _____ (child's name), was born in _____ (month) _____ (year).

14. Kansas has child custody jurisdiction because it is the home state there is no home state and Kansas has significant connections with the child(ren) Other: _____
_____.

15. Husband and Wife have have not entered into an agreed parenting plan. The Court enters the following the attached parenting plan as in the child(ren)'s best interests providing for legal custody, parenting time and alternative dispute resolution:

Legal Custody (Decision-Making)

A. *Joint Legal Custody.* Both parents are fit and proper persons to have joint responsibility for the care of the minor child(ren). It is in the best interest of the child(ren) that the parties jointly share in the care of the child(ren). The term "joint legal custody" means that both parents have equal rights and responsibilities regarding their child(ren) and that neither parent's rights are superior to the other parent's.

B. *Sole Legal Custody.* Joint legal custody is not in the best interests of the child(ren). The parent granted sole legal custody has the primary right to decide matters regarding matters of health, education and welfare in the child(ren)'s best interests. The parent not granted sole legal custody may make emergency decisions affecting the health or safety of the child(ren) when the child(ren) is in that parent's physical care and control. The grant of sole legal custody to one parent does not deprive the other parent of access to information regarding the child(ren) unless the court shall so order, stating the reasons for that determination.

1. Sole legal custody is granted to Mother Father for the following reasons:

a. Agreement of the parents.

b. The other parent is unable or should not be allowed to exercise any decision-making because:_____

_____.

c. There is a danger to the child(ren) because:_____

_____.

d. Other: _____

_____.

2. Restriction of Information Regarding the Child(ren) to Non Legal Custodian.

The Mother Father is restrained from accessing the child(ren)'s health, educational and other personal information because of the following specific reasons:_____

_____.

_____.

Mother shall have parenting time as follows:

Father shall have parenting time as follows:

Alternative Dispute Procedures. Disputes between the parents other than about child support shall first be submitted to mediation or another appropriate form of alternative dispute resolution namely: _____.

Military Servicemember. If either parent is a servicemember, upon deployment, mobilization, or unaccompanied tour: the “deployment provisions” in the attached parenting plan shall apply; OR (a) the nondeploying parent shall reasonably accommodate the deployed parent’s leave schedule; (b) the nondeploying parent shall facilitate telephone and electronic contact between the deployed parent and children; (c) a parent subject to deployment shall give the other parent timely information about deployment and expected leave; and (d) the following “deployment parenting time provisions” apply:_____

16. Husband Wife shall pay child support to the other in the amount of \$_____ each month, beginning on _____, 20____, as shown on the attached child support worksheet, until modified or terminated as set forth in K.S.A. 23-3001 and 23-3005.

17. All child support payments shall be made to the Kansas Payment Center at PO Box 758599, Topeka, Kansas 66675-8599 and shall include the two digit County designation and case number in the memo portion of each child support payment. Husband and Wife shall provide the payment center and court trustee any information requested.

18. *Income Withholding Provisions.*

A. *Withholding Ordered.* The appropriate child support enforcement agency shall issue an immediate Income Withholding Order to Obligor's employer under K.S.A. 23-3103(b) to enforce this order for support.

B. *No Withholding Ordered.* The Court finds (i) the parties have entered an Alternative Payment Arrangement as set forth in K.S.A. 23-3103(j), or (ii) good cause is shown that immediate income withholding is not required. In a case administered under Title IV-D, the Court additionally finds it is in the child(ren)'s best interests that no immediate wage withholding issue at this time. However, income withholding will take place if there is an arrearage in support payments equal to or greater than the amount of support payable for one month and the provisions of K.S.A. 23-3103(d) have been satisfied.

The Alternative Payment Arrangement is as follows: _____

_____.

19. Mother shall pay _____% of the child's uninsured health care costs and Father shall pay _____% of the child's uninsured health care costs. Mother and Father shall each execute any documents required by the health insurance provider for the minor child(ren) that are necessary to allow both parents to obtain information from, and to communicate with, that provider about the coverage provided and the payment and reimbursement of health insurance benefits regardless which parent owns, subscribes, or pays for the child(ren)'s health insurance coverage.

20. Husband and Wife entered into an agreement contained in or attached to this Decree, which the court approves as voluntary, fair and equitable and which is incorporated into this Decree shall divide their property and debt as stated on the record and contained in this Decree.

21. Husband shall have as his own separate property all his personal papers and clothing, any personal property in his possession not set aside to Wife, those items set aside to Husband in the attached agreement, and the following items in Wife's possession:

22. Wife shall have as her own separate property all her personal papers and clothing, any personal property in her possession not set aside to Husband, those items set aside to Wife in the attached agreement, and the following items in Husband's possession:

23. Husband and Wife are each responsible for debts held in his or her own name and shall hold the other harmless, except the following:

Debts to be paid by Husband:

Debts to be paid by Wife:

24. Husband and Wife are each responsible for and will each hold the other harmless on any debts associated with any personal property assigned to that person.

25. Husband and Wife own a house or land at the following street address **AND** legal description (if none, state "NONE"):

The house or land is assigned to Husband Wife who shall be responsible for payment of the mortgage loan and shall hold the other harmless on that debt.

26. Husband and Wife shall execute any documents required to convey property. This decree transfers title to all property addressed in this decree when filed.

27. Any designation previously made by Husband or Wife that names the other as a beneficiary of any individual or group life insurance or annuity policy, trust instrument, transfer-on-death account, or payable-on-death account, is terminated and may be renewed only by designation made after entry of this decree. Husband and Wife shall make any necessary changes to beneficiary designations by filing the changes according to the terms of the policy, trust or account.

28. Neither spouse Husband Wife is granted spousal support as follows:

29. Other Provisions:

IT IS SO ORDERED.

District Court Judge

Submitted by:

Name(Print): _____
Address 1: _____
Address 2: _____
City, State, Zip: _____
Telephone: _____
HUSBAND

Name(Print): _____
Address 1: _____
Address 2: _____
City, State, Zip: _____
Telephone: _____
WIFE