

309
IN THE DISTRICT COURT OF _____ COUNTY, KANSAS

IN THE MATTER OF

Name _____, Juvenile Case No. _____
DOB xx /xx / ____ A male female

SUMMONS

Pursuant to K.S.A. 38-2336 and 38-2337

TO:

<u>Name</u>	<u>Address</u>	<u>Relationship</u>
		Juvenile

A complaint has been filed in this Court, a copy of which is attached. The juvenile, and a parent and any other person having legal custody of the juvenile, are required to appear before this Court on the _____ day of _____, _____, at _____ a.m. p.m. At that time the juvenile will answer to the offense(s) charged in the complaint. The juvenile's failure to appear may cause the juvenile to be taken into custody to be brought before the Court. The juvenile has the right to be represented by an attorney. If you do not hire an attorney the court will appoint an attorney for the juvenile. The Court may order one or both parents to pay child support.

Issued this _____ day of _____, _____.

Clerk of the District Court

(When this Summons is returned for filing, some of the following information must not be visible to the public, pursuant to Supreme Court Rule #123)

DOB _____ DLN _____ SSN _____ Height _____ Weight _____
Sex M or F Race _____ Hair _____ Eyes _____
Other Description: _____

RETURN OF SERVICE

I received this Summons on the _____ day of _____, _____, and I did execute the same as follows:

Name	Manner of Service	Date/Time

I declare under penalty of perjury that this return of service is true and correct.

Law Enforcement Officer Name/Title

Authority

K.S.A. 38-2336; 38-2337; 38-2338 and 38-2339.

Notes on Use

If the juvenile is not in detention, a summons may issue upon the filing of a complaint. The summons shall state the place, date and time of the hearing at which the juvenile is required to appear and answer the offenses charged in the complaint, which shall be within 30 days of the date the complaint is filed. The summons and complaint shall be served by a law enforcement agency or a person specially appointed to serve them, or by first class mail as described below. If the juvenile is in detention a copy of the complaint shall be served at the detention hearing. It shall be served on the juvenile and each parent or other person with whom the juvenile has been residing. If no parent appears at the detention hearing, the summons shall issue for service on the parent. A warrant may issue, pursuant to K.S.A. 38-2342 if there is insufficient information to accomplish service of the summons. K.S.A. 38-2336.

K.S.A. 38-2337 requires service of the summons, accompanied by a copy of the complaint, upon the juvenile, upon any person having legal custody if the juvenile’s whereabouts are known, upon the person with whom the juvenile is residing, and upon any other person designated by the prosecutor.

K.S.A. 38-2338 provides for service pursuant to K.S.A. 60-303, or by first class mail. Service by first class mail is completed upon the person’s appearance before the court in response to the summons, which may render service by first class mail too inefficient to use. Proof of service shall

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be made by written statement of the place, manner and date of service. If services is completed by a person other than a law enforcement officer, the statement shall be by affidavit.