

Kansas Legal Services

A non-profit law firm and community education organization helping low and moderate income people in Kansas



www.kansaslegalservices.org

Instructions for filing a Reply to a Divorce (no children)

- These are the instructions ONLY.
 - They were prepared by the Kansas Judicial Council and have been slightly modified for clarity. **The attached version has not been modified.**
 - They are for preparing a Reply to a Divorce Petition in Kansas, in a marriage in which there are no minor children.
 - They are current as of July, 2009.
 - AFTER reading the instructions, check out the “Divorce -- No Minor Children - Interactive Forms” link at the bottom of the page.
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Instructions for RESPONDING to Divorce Proceeding– Without Children

- This packet contains:
 - Instructions,
 - Answer,
 - Voluntary Entry of Appearance,
 - Domestic Relations Affidavit,
 - Notice of Final Hearing and
 - Decree of Divorce.
 - It is for use in responding to divorce actions when the filing person and spouse do not have any children of their relationship union.
 - Read these directions carefully and in full. When completing forms, type or print neatly in ink.
 - These forms are for non-commercial use only.
 - These forms are copyrighted by the Kansas Judicial Council and are provided free of charge.
 - These forms cannot be sold, republished, or otherwise transferred from one person to another for pay or other value without the Kansas Judicial Council’s express written permission.
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Warnings

1. These are basic forms for simple divorces.
 - They do not deal with every divorce situation. A divorce can be complex and using legal forms without an attorney's help can harm your legal rights.
 2. The Clerk of the District Court cannot help you prepare these forms.
 - The Clerk cannot give legal advice about your rights or duties and can only give very limited info about the divorce process.
 - If you have any questions, you should contact an attorney.
 3. It is illegal for anyone who is not licensed to practice law in Kansas to:
 - (A) give another person advice about that other person's legal rights or duties;
 - (B) help another person to select, draft, or complete any legal document that affects the other person's rights or duties;
 - (C) represent another person in court; and
 - (D) help another person negotiate legal rights or duties.
 - If you paid a company for these forms, contact the Attorney General's consumer complaint hotline and the Kansas Judicial Council.
 4. Courts demand that anyone filing a divorce case to follow court rules.
 - You must follow the court rules or you will not be able to finish your case.
 - Self-represented persons are expected to know the rules as if you were an attorney.
 5. **IF YOUR SPOUSE IS ACTIVE-DUTY MILITARY, YOU SHOULD CONSULT AN ATTORNEY BECAUSE YOU MUST MEET SPECIFIC ADDITIONAL REQUIREMENTS.**
 6. It is important to note that property decisions are binding and may not be subject to modification.
 - In addition, agreements about debt are NOT binding on, and do not affect the rights of, third parties.
 7. If one spouse is to receive part of the other spouse's retirement, added documents may be needed to complete the transfer.
 - You will need to seek the advice of an attorney to complete this process because it is outside the scope of these pro se forms.
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Facts About Filing for Divorce in Kansas:

- You or your spouse must have lived in Kansas for at least sixty (60) days before a Petition for Divorce may be filed with the court.
- The legal divorce process is started by filing certain documents with the Clerk of the District Court in the county where you or your spouse lives.
- Your divorce case has a case number.
 - It must be on all documents you file with the court in the future.
- If you are proceeding with a divorce without the assistance of an attorney, you are liable for completing all the needed forms.
 - The Clerk of the District Court cannot help you prepare any legal documents or give any legal advice.
- Once you have filed your Answer, it is important that you inform the Clerk of the District Court if you or your spouse's address changes.
- Terminology:
 - Filing Spouse = Petitioner
 - Non-filing Spouse = Respondent

Instructions for responding to a divorce action:

1. You have the right to file an Answer to a Petition for Divorce but you are not forced to do so. If you are on active military duty you should not file an Answer before seeking the advice of an attorney.
2. If you choose to respond to the Petition for Divorce, complete the Answer and the Domestic Relations Affidavit.
3. Sign the Answer and the Domestic Relations Affidavit in front of a notary public. Notary publics may commonly be found in law firms, title companies and financial institutions, i.e. banks and credit unions.
4. File with the Clerk of the District Court:
 - the original Answer with needed copies;
 - the original Domestic Relations Affidavit with required copies; and
 - the Voluntary Entry of Appearance, if not already filed.

(Check with the Clerk or the local rules to figure out the number of added copies required.)

===== Instructions prepared by the Kansas Judicial Council =====

Once you have read the instructions, you can continue to the link below:

Divorce -- No Minor Children - Interactive Forms

 [Instructions for Respondent in divorce no children](#)

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<http://www.kansaslegalservices.org/node/243/instructions-filing-reply-divorce-no-children>

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