INSTRUCTIONS FOR PRO SE MOTION TO ESTABLISH PARENTING TIME ********Please read these instructions in their entirety before you begin!*******

The following information is provided to assist you in obtaining a hearing to establish parenting time in your case. A hearing cannot be held until your motion has been filed and all of the steps have been completed.

A filing fee must be paid when filing your motion. Check with the clerk to find out the amount of the filing fee.

When seeking to establish parenting time, the following documents must be completed, filed with the court, **and a copy provided to the other party**. Complete the documents with a typewriter or print legibly in black or blue ink. You may download the forms in a Microsoft Word format or re-create the forms on a computer or word processor as well.

Complete:

- 1. Motion to Establish Parenting Time
- 2. Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit
- 3. Proposed Parenting Plan
- 4. Notice of Hearing
- 5. Request and Service Instruction Form (one for each party to be served)
- 6. Return of Service for Certified Mail (if completing service by Certified Mail)

Follow the steps below in the order given. Check each one off as you complete it to properly file your motion with the court.

1. Mo	ation to Establish Parenting Time ☐ a. Fill out the Motion to Establish Parenting Time completely. Make sure you sign your name where indicated.
	Case Caption:
	The section above the title of every document is called the case caption. The case caption on this document should match the case caption on the Petition. The first document filed in the case is the Petition.
	 □ b. Fill out the UCCJEA Affidavit completely and sign. □ c. Fill out the proposed Parenting Plan completely and sign. □ d. Make 3 copies of the completed Motion to Establish Parenting Time, the

UCCJEA Affidavit and the proposed Parenting Plan. Attach copies of the UCCJEA Affidavit and proposed Parenting Plan to the Motion to Establish Parenting Time. (Make 4 copies if the other party has an attorney. Additional copies may be necessary if the court has appointed a guardian ad litem for the child(ren).)

Some courts require extra copies. Check with the clerk of the court to find out if more copies are required.

2. Noti	ice of	Hearing
		a. Fill out the Notice of Hearing except for the hearing place, date and time.
		b. Make 3 copies of the completed Notice of Hearing. (Make 4 copies if the other party has an attorney. Additional copies may be necessary if the court has appointed a guardian ad litem for the child(ren).)
		Some courts require extra copies. Check with the clerk of the court to find out if more copies are required.
3. Filir	ıg yo	ur Motion and Obtaining a Hearing Date
		a. Go to the Clerk of the District Court office to file your motion. Bring originals and all copies with you.
		b. Give the clerk the original and all copies of the Motion to Establish Parenting Time and attachments. The clerk will file-stamp the original and all copies. The clerk will keep the original for the court file and give you back the other copies.
		c. Ask the clerk for a hearing date and time and enter that information on the original Notice of Hearing and all copies. Give the original and all copies of the Notice of Hearing to the clerk for filing. The clerk will keep the original Notice of Hearing for

4. Serving the Other Party - Request and Service Instruction Form

You **must** provide the other party, the other party's attorney, and each guardian ad litem appointed for the child(ren), if any, with a copy of the filed Motion to Establish Parenting Time and attachments and the Notice of Hearing. You may obtain this service by **one** of the following methods:

the court file and give you back all the file-stamped copies.

i. Service by U.S. Mail - You may mail the documents, postage prepaid, to the last known address of the other party, the other party's attorney, and each guardian ad litem appointed for the

child(ren), if any. If you choose this method, fill out the Certificate of Service and Mailing at the bottom of the Notice of Hearing form.

- ii. Service by Certified Mail (Preferred method) You may send copies of the documents to the other party, the other party's attorney, and each guardian ad litem appointed for the child(ren), if any, by certified mail. If you choose this method, fill out the Certificate of Service and Mailing at the bottom of the Notice of Hearing form. You must also complete a Return of Service for Certified Mail Form and file it with the Clerk of the District Court after the "green card" is returned to you and before the hearing date.
- iii. *Service by Sheriff via Certified Mail* You may request that the documents be mailed, certified mail, by your local Sheriff's office. There will be a fee for this service.
- iv. *Personal Service by Sheriff Inside Kansas* If the other party lives in Kansas, you may request that the documents be delivered by the Sheriff of the county in which the other party resides. There will be a fee for this service.
- v. *Personal Service by Sheriff's Office Outside Kansas*. If the other party lives outside Kansas, you may request the Sheriff's department where the other party lives deliver the documents to the other party. You will be responsible for finding out the costs involved and completing the appropriate paperwork as required by that Sheriff's department.

☐ Once you have determined the method with which you want to serve the documents on the other party, the other party's attorney, and each guardian ad litem appointed for the child(ren), if any, complete the Request and Service Instruction Form and provide it to the clerk along with the appropriate number of copies of the Motion to Establish Parenting Time and the Notice of Hearing (one of each for the other party and one of each for the other party's attorney, and one for each guardian ad litem, if any).

Service by Certified Mail:

If you choose service by certified mail, you must mail a copy of the Motion to Establish Parenting Time and attached UCCJEA Affidavit and proposed Parenting Plan and the Notice of Hearing by certified mail to both the other party and the other party's attorney, if any. Do this on the same day that you file the Notice of Hearing with the Clerk of the District Court. Failure to mail the copies and provide proof of service will result in your motion being dismissed. (**Do not forget to complete instruction #5 if you choose service by certified mail.**)

a. Keep one copy of the Motion to Establish Parenting Time and attachments and one copy of the Notice of Hearing for yourself.
b. Mail one copy of the Motion to Establish Parenting Time and attachments and one copy of the Notice of Hearing to the other party/ex-spouse by certified mail.

	mail.				
5. Filing the	5. Filing the Return of Service for Certified Mail				
Hearing by ("green card	er you mail your Motion to Establish Parenting Time and attachments and Notice of certified mail to the required parties, you will have to wait for the Return of Service l'') to be returned to you by the post office. Once you receive the green card(s), follow the to prove to the court you served your motion properly.				
	a. Fill out the Return of Service for Certified Mail.				
	b. Attach the green card(s) to the middle of the page where indicated.				
	c. Make one copy for your file.				
	d. Bring the original Return of Service for Certified Mail to the Clerk of the District				
	Court office.				
	e. Hand the document to the clerk for filing. The clerk will keep the document so that it				
	can be placed in your court file as proof that you completed all the steps necessary to				
	properly file your Motion to Establish Parenting Time.				

☐ c. Mail one copy of the Motion to Establish Parenting Time and attachments and one

copy of the Notice of Hearing to the other party's attorney of record, if any, by certified

PLEASE REMEMBER!! It is up to you to get the correct papers filed and proper service completed in order for a hearing to be held at its assigned hearing date and time.

Petitioner	Cons No.
and	Case No
	_
Respondent	
MOTION	TO ESTABLISH PARENTING TIME
I,(yo of this motion state:	our name) move the Court to establish parenting time and in support
1. The current order, filed on(insert p	(date) does not grant parent's name) parenting time.
2. A completed UCCJEA affidavit is a	attached.
3. The Court should grant parenting ti	me as requested in the attached Parenting Plan.
4. To the best of my knowledge, the n	ame, current address and telephone number of the other parent is:
(If you do not know the current address	ss and telephone number, leave this blank.)
5. The other parent \square is \square is not	t on active duty with the United States Military. Unknown.
I ask the Court to grant this motion fo	r parenting time as requested.

VERIFICATION

I verify under penalty of correct. Executed on	perjury under the laws of the state of Kansas that the foregoing is true and, 20
	X Simulation
	Signature
	Name (Print):
	Address (1):Address (2):
	City, ST, Zip:
	Telephone:
	CERTIFICATE OF SERVICE AND MAILING
I certify that on this	day of, 20, I sent a true copy of
this Motion by depositin	g it in the United States mail, postage prepaid, addressed to:
(Name and address of ot	ner parent)
and	ici parciit)
una	
(Name and address of ot	ner parent's attorney, if any)
and	
(Name and address of ar	y other involved attorney or case participant, if any)
	V
	XSignature
	Name (Print):
	rame (11mt).

(Attach UCCJEA Affidavit and Proposed Parenting Plan)

Petitioner			
and			Case No
Respondent			
UNIFORM CH		DICTION AND ENFO AFFIDAVIT a. 23-37,101 et seq.)	DRCEMENT ACT (UCCJEA)
Ι,	(full lego	al name), certify that th	ne following statements are true:
1. The names and oproceeding are:	dates of birth of the childr	en now under eighteen	years of age and subject to this
b c	(child's na (child's na	ame), was born in ame), was born in	(month) (year). (month) (year). (month) (year). (month) (year).
2. The child(ren) nor	w live with:		(name of adult)
at		(S	treet address),
	(city),	(state) and hav	e lived at this place since
	(date). (Add ad	dditional pages if more sp	pace is needed.)
3. The child(ren) live	ed at the following addresses	s with the custodian(s) lis	ted during the past five years:
From Date	Until Date	City, State	Name and Relationship of Custodian(s) Living with Child, and Custodian(s) Present Address

4. I \square have \square have not been involved in a court case involving the custody or visitation of the child(ren). The following court cases are on file about the child(ren):			
Type of Case	Court, City and State	Case Number	Last Order Date
current proceeding incluto domestic violence, procedure cases are on file and	we information concerning ding but not limited to protective orders, termination doubt affect the current	ceedings for enforcement n of parental rights, and ac proceedings:	and proceedings relating loption. The following
Type of Case	Court, City and State	Case Number	Last Order Date

Name	Address, City and State	Check the box that applies
		☐ Has Physical Custody
		□Claims Custody Rights □Claims Visitation Rights
		□Has Physical Custody
		□Claims Custody Rights □Claims Visitation Rights
		□Has Physical Custody
		□Claims Custody Rights □Claims Visitation Rights
		☐Has Physical Custody ☐Claims Custody Rights
		□Claims Visitation Rights
		☐ Has Physical Custody☐ Claims Custody Rights
		□Claims Visitation Rights
	nave a continuing duty to inform the coulect the current proceeding.	rt of proceeding(s) in this or any
I certify under penalty or correct. Executed on	f perjury under the laws of the state of K, 20	ansas that the foregoing is true at
	X	
	Signature	
	Name (Print):	

6. The following named persons not a party to this proceeding have physical custody or claim to

(Make as many copies of th	nis page as necessary.)		
THE FOLLOWING INFO	ORMATION IS TRUE:		
(Child's Full Legal Na address(es) with the ad	ame)lult(s) listed during the	past five years:	ed at the following
From Date	Until Date	City, State	Name and Relationship of Adult(s) Living with Child, and Adult(s) Present Address
THE FOLLOWING INFO (Child's Full Legal Na address(es) with the ac	ume)		ed at the following
From Date	Until Date	City, State	Name and Relationship of Adult(s) Living with Child, and Adult(s) Present Address

Petitioner	_		
and	Case No.		
Respondent	_		
"Responde	PARENTING PLA toner" means the person who first means the person who did rties" means the Petitioner and	îled the Petition. I not fîle the Petition.	
This Parenting Plan is □temporary □	permanent.		
□ Proposed by Petitioner □ Proposed by the Court.	l by Respondent Agreed	by Petitioner and Respondent Developed	
☐ After due consideration, the Court interests on this day of	_	ng Plan that serves the child(ren)'s best	
Section I. GENERAL INFORMAT	ION		
This parenting plan applies to the foll	owing children:		
Full Name of Child	Gender Birth □M □F □M □F □M □F □M □F □M □F	Date (Month/Yr) and Age	
For the purposes of this parenting p	olan, the following definiti	ons apply:	
Parent A isParent B is			
Section II. Legal Custody (Decision	-Making)		
		of their minor child(ren). "Joint legal in, contribute to, and have responsibility for	

□B.	of health and education in their child(ren)'s best interests. Neither parent's rights are superior to the other parent's rights, and they should cooperate to determine what is in their children's best interests. Sole Legal Custody. Joint legal custody is not in the child(ren)'s best interests. "Sole legal custody "means that the parent granted sole legal custody has the primary right to decide matters of health and education in the child(ren)'s best interests. The parent not granted sole legal custody may make emergency decisions affecting the child(ren)'s health or safety when the child(ren) are 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 specifically orders, stating the reasons for that determination. 1. Sole legal custody is granted to Parent A Parent B for the following reasons: □a. Agreement of the parents.
	□b. The other parent is unable or should not be allowed to exercise 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 ☐ Parent A☐ Parent B is restrained from accessing the child(ren)'s health, educational and other personal information because of the following specific reasons:
Section	III. Parenting Time Schedule.
	A shall have parenting time beginning at \[\square am \square pm ending at \square am \square pm as
Tollows	Parent A's Weekday Schedule:
	Parent A's Weekend Schedule:
	Parent A's Other Times:
	B shall have parenting time beginning at \(\square\) am \(\square\) pm ending at am pm as follows: B's Weekday Schedule:

Parent B's Weekend Schedule:	
Parent B's Other Times:	
☐ The holiday schedule as set out in the controls holiday parenting time	(name county) Family Law Guidelines
Or	
☐The holiday schedule is as follows:	

HOLIDAY PARENTING SCHEDULE	Parent A Even/Odd/Every	Parent B Even/Odd/Every
New Year's Day: From(day) at(time) until(day) at(time)		
Spring Break: From(day) at(time) until(day) at(time)		
Spring Break: From(day) at(time) until(day) at(time)		
Memorial Day/weekend: From(day) at (time) until (day) at		
Mother's Day: From(day) at(time) until(day) at(time)		
Father's Day/Weekend: From(day) at(time) until(day) at (time)		
Independence Day: From(day) at (time) until (day) at (time)		
Labor Day/weekend: From(day) at(time) until(day) at		
Halloween: From(day) at (time) until(day) at (time)		
Thanksgiving Day/weekend: From(day) at(time) until(day) at(time)		
Winter Break: From(day) at(time) until(day) at(time)		

HOLIDAY PARENTING SCHEDULE	Parent A Even/Odd/Every	Parent B Even/Odd/Every
Winter Break: From(day) at(time) until(day) at(time)		
Other: From(day) at (time) until(day) at (time)		
Other: From(day) at (time) until(day) at (time)		
Other: From(day) at (time) until(day) at (time)		
Other: From(day) at (time) until(day) at (time)		
Section IV. Dispute Resolution Process		
Disputes between the parents, other than about cl ☐Mediation by: ☐The following dispute resolution method: ☐		

Section V. Military Deployment, Mobilization, or Unaccompanied Tour

 \square Parent A \square Parent B is a military servicemember and the following shall apply upon notice of deployment, mobilization, temporary duty, or unaccompanied tour:

- 1. A parent receiving deployment, mobilization, temporary duty or unaccompanied tour orders from the military shall be considered a "deployed parent."
- 2. The absence, relocation or failure to comply with a parenting order by a "deployed parent," shall not by itself constitute a material change in circumstances to make any permanent change to the parenting plan.
- 3. Any court order limiting previously ordered parenting rights due to the parent's deployment, mobilization, temporary duty, or unaccompanied tour shall state that event as its basis and shall constitute only a "temporary order."
- 4. The non-deploying parent shall provide the court and deployed parent at least 30 days advance written notice of any change of address or telephone number.
- 5. The non-deploying parent shall reasonably accommodate the deployed parent's leave schedule.
- 6. The non-deploying parent shall facilitate telephone and electronic communication between the children and the deployed parent.

	e the nondeployed parent with timely information about the yment, leave during deployment, and release from deployment.
8. During deployment, mobilization decisions about the child(ren) by the methods:	
9. During deployment, mobilization with: □Parent A □Parent B □Oth shall have the following parenting to	and the deployed parent
Section VI. Address-Change	
before changing address by sending	r parent of any address change in writing no less than 30 days written notice to the other parent by certified mail – restricted t that other parent's last known address.
Kansas for more than 90 days by se	r parent of any plan to remove any child(ren) from the State of nding written notice to the other parent by certified mail – quested, at that other parent's last known address.
if the other parent has been convicted Article 35 (sex offenses), or Article 25 (sex offenses).	written notice of removal to the other parent under either (A) or (B) ed of a crime specified in Article 34 (crimes against persons), 36 (crimes affecting family relationships and children) of Chapter & Kansas Statutes Annotated to which the child(ren) was the victim.
Section VII. Other Requiremen	ts
Other requirements for this parentin	ng plan:
	·
Section VIII. Signatures: Requi	red if agreed upon by the parties.
Parent A Name: X	Parent B Name: X
(Signature)	(Signature)

Name:	Name:
(Printed)	(Printed)
Address:	Address:
	 -
Telephone:	Telephone:
Date Signed:	Date Signed:
Attorney (if any): (Signature)	Attorney (if any): (Signature)
Attorney (if any):	Attorney (if any): (Printed)
APPROVED THISDAY OF	, 20
	DISTRICT JUDGE

			Case No
Petitioner			
and			
Respondent			
	NOTICE OF	HEARING	
The court will held a hearing on this met	tar an tha	dov.of	20
The court will hold a hearing on this matter at a.m p.m. at the			
			County Courthouse, in division
·	X		
	Your Signatu	re Self-Repres	ented
	Nama (Print)		
	Address 1:	•	
	Address 2:		
	City, State, Z	ip:	
I certify that on this day of notice of hearing by (\(\subseteq \text{ depositing it in } United States mail, postage prepaid, cert	the United Sta	, 20, I	sent a true copy of this age prepaid) (□ depositing it in the
(Name and address of other party) or			<u> </u>
(Name and address of other party's attornand	ney)		·
(Name and address of any other involved	attorney or cas	se participant, i	f any)
	X		
	You	r Signature	
	Nam	ne (Print):	

Petiticand	ner	Case No
Respo	ndent	
Respo	ndent's Address:	
	"Petition	AND SERVICE INSTRUCTION FORM er" means the person who filed the Petition. "means the person who did not file the Petition.
To:	Clerk of the District Court	
above		the a Summons and Petition in the above entitled action for the by instructed to effect service, as follows:
□a.		 Service through the office of the Sheriff of ty, State of Kansas, other than by certified mail.
□b.	who understands that the respo	outside Kansas – Certified mail service by the Petitioner, ensibility for obtaining service and effecting its return shall be or certified mail service (green card) must be filed with the n be perfected.
□c.	Sheriff of	coutside Kansas – Certified mail service by the office of the County, State of Kansas, AT THE EXPENSE OF THE inderstands that the responsibility for obtaining service and he Sheriff.
□d.	Coun	as – Out of state service by service through the Sheriff of ty, State of (other person's lamil, which the PETITIONER MUST ARRANGE THE COURT.

⊒e.	No service required as my spouse will complete a Voluntary Entry of Appearance or I am illing an Affidavit for Service by Publication.
	XSignature of Petitioner
	Name (Print):
	Address 1:
	Address 2:
	City, State, Zip:
	Telephone Number: