

IN THE DISTRICT COURT OF SHAWNEE COUNTY, KANSAS
THIRD JUDICIAL DISTRICT

FILED BY CLERK
KS. DISTRICT COURT
THIRD JUDICIAL DIST

2017 FEB - 11 P 1:47

ADMINISTRATIVE ORDER 2017-100

Re: Mandatory E-Filing Limited Action and Probate Cases

Mandatory E-filing: Effective February 1, 2017, all licensed attorneys must file all new cases and documents within new or existing cases for Limited Action (Chapter 61) and Probate (Chapter 59) cases within the District Courts of the Third Judicial District, utilizing the Kansas Courts Electronic Filing system.

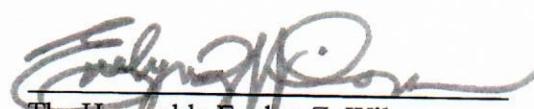
Kansas Supreme Court Administrative Order 268 - Attorneys utilizing the Electronic Filing system must follow Kansas Supreme Court Administrative Order 268, and all Third Judicial District Local Rules and Administrative Orders.

Attachments A (Chapter 61) and B (Chapter 59) are included as directions for aiding in the utilization of these changes and are incorporated and made a part of this order.

The terms of this order shall remain in effect until further order of this Court.

IT IS SO ORDERED.

Dated this 31 day of January, 2017.



The Honorable Evelyn Z. Wilson
Chief Judge of the District Court
Third Judicial District

- Attachment A -

Required Format and Content:

Chapter 61

Designation of K.S.A. Chapter in Petitions:

All pleadings are initiated by the filing of a petition. The petition shall be so named immediately following the title of the pleading with designation of the chapter of the Kansas Statutes under which the case is to be filed, as shown in the following example:

IN THE DISTRICT COURT OF SHAWNEE COUNTY, KANSAS

JOHN DOE, Plaintiff,

vs.

Case No.

JAMES ROE, Defendant.

**PETITION
(Pursuant to K.S.A. Chapter 61)**

Date Language:

Prior to the advent of e-filing, many attorneys or parties included, in the first and/or last lines of proposed orders or other documents, language similar to the following: "Dated this ____ day of ____, 2017."

Pleadings filed using the e-filing system should now have a first line which begins: "At this Time,." The final line of the order or similar document shall include a line substantially in compliance with the following: "This Order is effective as of the date and time shown on the electronic file stamp." Language in an order or journal entry indicating when a hearing or trial actually occurred shall be stated in the order, journal entry or similar document.

Court Appointed Attorney Vouchers:

Appointed counsel should deliver vouchers directly to the judge presiding over the case.
Counsel should not e-file the vouchers.

Attachments to E-filed Documents:

When possible, attorneys filing pleadings with documents attached should file the attachments as part of the original documents to which they are attached. If the document is too large to file with the documents attached, the attorney should e-file the attachments separately and should clearly label or title as an attachment to the main document.

Original Documents:

When a party files a petition to admit a will to probate, the party should attach a copy of the will to the petition. The party should also file the original of the will with the Clerk of the District Court. Any and all relinquishments of parental rights shall be electronically filed and the original relinquishment shall also be filed with the Clerk of the District Court.

Service of Pleadings Through Kansas E-Flex E-filing System:

Pursuant to KSA 60-205(b)(2)(F), service of any document or pleading listed in K.S.A. 60-205(a)(1) is authorized to be made to any attorney registered as a user of the Kansas E-flex electronic filing system.

A Certificate of Service shall be included as the last page of the document as follows:

Certificate of Service

The undersigned hereby certifies that on the ____ day of ____, 2017, I presented the foregoing to the Clerk of the Court for filing and uploading to the e-flex electronic court filing system and provided a copy by ____ (identify method of service) to the following counsel of record:

Name of Attorney
Law Office
Address
Phone
Email
Attorney for Plaintiff John Doe

Name of Attorney
Law Office
Address
Phone
Email
Attorney for Defendant James Roe

and that a copy was served by United States Mail, properly addressed and postage prepaid on ____, 2017 to:

Jane Doe
Address
Pro Se Defendant
/s/Attorney Filing
Attorney Name
Attorney for Defendant XYZ

- Attachment B -

Required Format and Content: (Supplementing Attachment A)

Chapter 59

IN THE DISTRICT COURT OF SHAWNEE COUNTY, KANSAS
Kansas Third Judicial District
Division _____

IN THE MATTER OF THE ESTATE OF:

(*OR GUARDIANSHIP OF, ADOPTION OF, CARE AND TREATMENT OF*)

PERSON'S NAME _____ **Case No.** _____
(Pursuant to K.S.A. Chapter 59)

PETITION FOR (ADOPTION)(GUARDIANSHIP)(ADMISSION OF WILL AND . . .)

Content must comply with applicable statutory provision for the section.

Every petition must be accompanied by the appropriate Order for Hearing. No Chapter 59 proceeding is considered commenced until the petition has been filed and the applicable order for hearing has been approved by the Court and filed. **Exceptions:** Guardian Reports will be reviewed without petition. Annual Accountings for Conservatorships, Curatorships, and Trusts are set for hearing per standing order.

A reminder: All petitions in Chapter 59 proceedings must include verification by the petitioning party.

Pleadings should include:

Name of Attorney

Law Office

Address

Phone

Email

Attorney for Petitioner

Scheduling matters on the Court's calendar is accomplished by contacting the office of the Court and obtaining a hearing assigned by the Judge's Administrative Assistant or directly by the Judge. In cases where appointment of counsel is required that arrangement is made by the same provisions.