

Read directions completely.

Pro Se Motion to Stay Issuance of Income Withholding Order

1. Fill out completely: Typed or printed legibly
 - a. Motion
 - b. Affidavit and Statement (must also be notarized)
 - c. Notice of hearing
 - d. Certification of mailing
2. Obtain Hearing date and time: Upon completion of all forms, please bring forms to the Johnson County Courthouse, room 335, 3rd floor, Hearing Office to obtain a hearing date and time before filing your forms with the Clerk of the Court. If you live out of state, contact our office regarding a hearing date, call 913-715-3668 or 913-715-3669.
3. File the original and copies of forms (motion and certificate of mailing with the Clerk of the District Court. You will need copies for yourself, the Court Trustee's Office and all other parties you are serving including attorneys of record.)

Clerk of the District Court will file stamp all copies and keep the originals.

8:00-5:00, Monday - Friday
100 N. Kansas Avenue, 2nd floor
Olathe, Kansas 66061

4. All parties you are serving, including the Court Trustee's office must be mailed a copy of all paperwork filed with the Clerk of the District Court at least 7 days prior to hearing date (excluding weekends and holidays), add 3 days for service by mail.

It is up to you to get the correct papers filed and proper service completed, in order for your case to go forward on its assigned hearing date and time. Be advised, the Hearing Officer can dismiss the motion for lack of proof of service.

IN THE DISTRICT COURT OF JOHNSON COUNTY, KANSAS
CIVIL COURT DEPARTMENT

IN THE MATTER OF

Petitioner

Case #

and

Division#

Respondent

Chapter #

MOTION TO STAY ISSUANCE OF INCOME WITHHOLDING ORDER

I, move to the Court to refrain from issuing and/or terminate an existing Income Withholding Order on one or more of the following grounds, per K.S.A. 23-3106A:

- The amount of the order in the notice of intent is incorrect. I do not contest the amount of \$ _____
- The amount of arrears is incorrect.
- The amount requested to be withheld is greater than the amount permitted by law.
- I am not the person who owes the support.
- For good cause shown as follows:

STATE OF KANSAS
COUNTY OF JOHNSON

AFFIDAVIT AND STATEMENT

I, _____

of lawful age, being first duly sworn, state: I am the person listed in the case captioned above. I have read the foregoing Motion to Stay Issuance of Income Withholding Order and am familiar with its contents and all of the statements I have filled in or marked are true. I understand that the Court may issue an Income Withholding Order based on the uncontested amounts as long as I do not contest the fact that I am the Obligor. I also understand that if the Court determines that this motion was filed without good cause, the Court may impose sanctions. Further, I have served a copy of the foregoing Motion by hand or by depositing it in the United States mail, postage prepaid, on _____ to District Court Trustee, 100 N. Kansas Ave, Suite 337, Olathe, Kansas 66061.

Signed By

Subscribed to and sworn to before me this _____ day of _____, 20_____.

Notary Public

IN THE DISTRICT COURT OF JOHNSON COUNTY, KANSAS
CIVIL COURT DEPARTMENT

IN THE MATTER OF

Petitioner

and

Respondent

Case #

Division#

Chapter #

Notice of Hearing

Please take notice that the Motion to stay Issuance of the Income Withholding order has been set for hearing on the day of _____, _____ at _____ in Room #336, before the Hearing Officer, Johnson County

Courthouse, Olathe, Kansas.

Signature: _____

Certificate of Mailing

I hereby certify that on _____ (month) _____ (day), _____, a copy of the Notice of Hearing and the Motion to Stay Issuance of Income Withholding Order was mailed, not less than 7 days prior to the above hearing date, to the following parties at the addresses shown:

And to the District Court Trustee, 100 N Kansas Ave., STE 337 Olathe, Kansas 66061.

Signature: _____