

Pro Se Motion to Enforce Parenting Time/Visitation

*****Please read these instructions in their entirety before you begin!*****

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

The following documents (included in this packet) must be filled out and filed with the court when seeking enforcement of parenting time. Fill out the documents using a typewriter, or print legibly in black or blue ink.

1. Motion to Enforce Parenting Time/Visitation
2. Notice of Hearing and Certificate of Mailing
3. Return of Service for 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. Motion to Enforce Parenting Time/Visitation.

- _____ a. Fill out the motion completely, making sure you sign your name where indicated.
- _____ b. The Certificate of Mailing portion should include the names and addresses of the following:
 - i. Opposing party/ex-spouse;
 - ii. Opposing party/ex-spouse's attorney of record, if any.
- _____ c. Make 3 copies of the Motion to Enforce Parenting Time/Visitation. (4 copies if the opposing party has an attorney)
- _____ d. Write "Chamber copy" at the top of one of the copies.

2. Notice of Hearing and Certificate of Mailing.

- _____ a. Fill out the Notice of Hearing and Certificate of Mailing, with the exception of the hearing date and time. The Certificate of Mailing section should include the same people that you wrote on the certificate of mailing on your Motion to Enforce Parenting Time/Visitation.
- _____ b. Make 3 copies of the completed Notice of Hearing. (4 copies if the opposing party has an attorney)

3. Filing your Motion and Obtaining a Hearing Date.

- _____ a. Go to the Clerk of the District Court office in the basement of the Judicial and Law Enforcement Center at 111 East 11th Street, Lawrence, KS to file your motion. Bring originals and all copies with you.
- _____ b. Give the clerk at the counter the original and all copies of the Motion to Enforce Parenting Time/Visitation.

The clerk will file-stamp the original and all copies of your Motion to Enforce Parenting Time/Visitation. They will keep the original for the court file and give you back all of the copies.
- _____ c. Go to the Juvenile Judge Pro Tem office for a hearing date and time. Their office is located in the south hallway on the main floor of the building. Give the administrative assistant the “Chamber copy” of your Motion to Enforce Parenting Time/Visitation and the original and all copies of your Notice of Hearing and Certificate of Mailing.

The administrative assistant will give you a hearing date and time and write it on the original and all copies of the Notice of Hearing. The assistant will keep one copy and give the rest back to you.
- _____ d. Go back downstairs to the Clerk of the District Court office and 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 the court file and give you back all the file-stamped copies.

4. Serving the Opposing Party.

You must mail the remaining copies by certified mail to the opposing party and their attorney of record, if any. You should 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.

- _____ a. Keep one copy of the Motion to Enforce Parenting Time/Visitation and one copy of the Notice of Hearing for yourself.
- _____ b. Mail one copy of the Motion to Enforce Parenting Time/Visitation and one copy of the Notice of Hearing to the opposing party/ex-spouse **by certified mail.**

- _____ c. Mail one copy of the Motion to Enforce Parenting Time/Visitation and one copy of the Notice of Hearing to the opposing attorney of record, if any, **by certified mail.**

5. Filing the Return of Service for Certified Mail.

After you mail your Motion to Enforce Parenting Time/Visitation and Notice of Hearing by certified mail to the required parties, you will have to wait for the Return of Service (“green card”) to be returned to you by the post office. Once you receive the green card(s), follow the steps below 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 in the basement of the Judicial & Law Enforcement Center at 111 East 11th Street, Lawrence, KS.
- _____ e. Hand the document to the clerk at the counter 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 Enforce Parenting Time/Visitation.

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.

IN THE DISTRICT COURT OF DOUGLAS COUNTY, KANSAS

In the Matter of

_____,

Petitioner,

vs.

_____,

Respondent.

)
)
)
)
)
)
)
)

Case No. DG _____
Division _

MOTION TO ENFORCE PARENTING TIME/VISITATION

COMES NOW _____ and moves the Court to set a hearing to enforce
(Your name)

its order of parenting time/visitation with the minor child(ren) of the parties. In support of the Motion, I state to the Court that my parenting time rights, as set forth in the order of the court, are being denied.

WHEREFORE, I pray for an order of the court enforcing reasonable and proper parenting time/visitation rights heretofore granted by the Court, and to set this matter for hearing.

Your signature *Pro se*

Address

Phone

CERTIFICATE OF MAILING

A copy of this Motion to Enforce Parenting Time/Visitation has been sent by Certified Mail/Return Receipt Requested to (Petitioner/Respondent) and their attorney of record at the following addresses:

Date _____

(Your signature again here)

IN THE DISTRICT COURT OF DOUGLAS COUNTY, KANSAS

In the Matter of _____)
)
)
)
 _____,)
 Petitioner,) Case No. DG _____
 vs.) Division _____
)
)
 _____,)
 Respondent.)

NOTICE OF HEARING

PLEASE TAKE NOTE that the Motion to Enforce Parenting Time/Visitation has been set for hearing before the Juvenile Judge Pro Tem on the _____ day of _____, 20____, at _____ a.m., or as soon thereafter on said date as the Court can hear the same, in the Juvenile Pro Tem Division Courtroom of the Judicial & Law Enforcement Center, 111 East 11th Street, Lawrence, Kansas.

Your signature *Pro se*

CERTIFICATE OF MAILING

I hereby certify that on the _____ day of _____, 20____, I caused a true and correct copy of this Notice of Hearing to be mailed by Certified Mail, Return Receipt Requested, addressed to the following:

Your signature *Pro se*

IN THE DISTRICT COURT OF DOUGLAS COUNTY, KANSAS

IN THE MATTER OF _____)
)
 _____, Petitioner,) Case No. DG
) Division
 and _____)
)
 _____, Respondent.)

RETURN OF SERVICE FOR CERTIFIED MAIL

State of Kansas)
) ss.
 County of Douglas)

The undersigned, being duly sworn, states: I have served a Motion to Enforce Parenting Time/Visitation and Notice of Hearing on the Petitioner/Respondent, and their attorney of record, if any, and the following Return for Receipt of Service was served on the litigant by certified mail on _____, 20__, at the time and place as listed on the attached card.

(When you receive the signed green card back from the other party, tape it here.)

_____ Check here if service by certified mail was refused. (If refused, I certify that I sent a true copy of the motion by first-class mail after the certified letter was refused.)

_____ *Your signature* *Pro se*

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

_____ *Notary Public*

My commission expires: