

## SUMMONS/GARNISHMENT SERVICE PACKETS - ATTORNEY INFORMATION

Under the Missouri e-filing system now utilized by the 16<sup>th</sup> Judicial Circuit Court, once a case has been accepted for filing, a clerk prepares the necessary documents for service. The summons is sent to the attorney by an e-mail containing a link so that the filer may print and deliver the summons, pleadings, and any other necessary documents to one of the following:

- Civil Process, located in Kansas City at 1305 Locust, 2<sup>nd</sup> Floor, Kansas City, MO 64106 or in the drop box in Civil Records, 415 East 12<sup>th</sup> Street, 3<sup>rd</sup> Floor, Kansas City, MO or in Independence at 308 West Kansas, 1<sup>st</sup> Floor, Room 107, Independence, MO 64050<sup>1</sup>;
- The Out of County Sheriff or other appropriate process server in the County where the summons is to be served; or
- A Private Process Server<sup>2</sup>.

Pursuant to State Statutes, Supreme Court Rules and Local Court Rules, attorneys are required to print, attach and serve specific documents with certain types of Petitions and other filings. Below are the documents that must be served in particular types of service packets. The documents have been listed in the order in which they should be assembled for service. The documents fall in one of the following three categories, each listed below, as follows:

- **ALL CAPS** – Digital documents that you must print from the 16<sup>th</sup> Judicial Circuit Court’s website at: <http://www.16thcircuit.org/required-documents-for-service-efiled-cases>;
- Digital documents that will be provided to you in a case-specific link from the court;
- *Italics* – Documents created by you or otherwise in your possession and/or available on Case.net.

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<sup>1</sup> Any service packets to be served by Civil Process shall have all required service fees paid at the time of filing the Petition or other pleading requiring service.

<sup>2</sup> The filer must have an Order allowing the designated Private Process Server to serve process in the case. Private Process Servers are not allowed to serve an order, writ or other process that requires any levy, seizure, sequestration, garnishment, eviction or other taking of property.

<sup>3</sup> Rent/Possession cases require three service packets – one for the defendant, one for posting and one for first class mail if ordered. Unlawful Detainer cases require a fourth service packet be posted at the Courthouse.

<sup>4</sup> All publications must be sent to the newspaper prior to the first publication date. The newspaper determines this date once the filing party requests the date. The Clerk’s Office will send a copy of the notice to the defendant/respondent at the parties last known address, if provided by counsel.

<sup>5</sup> Garnishments served upon federal agencies must be served by certified mail. The Court is required to send Notice to Debtor of Exemptions within 3 days of service of the Garnishment. The Court will send the Notice at the time the service packet is sent to the attorney to ensure compliance with statute.

<sup>6</sup> If a vehicle or other personal property is to be seized and held until the case is adjudicated the Civil Process Department will send out the Notice to Debtor letter and instructions to the attorney and towing/storage company regarding their responsibilities to arrange for transportation and payment for storage, and that the Court Administrator’s Office has control over the property until sold.

**DISSOLUTION W/O CHILDREN**

2 Summonses – one for return of service & one stapled to the service packet  
Notice – Uncontested Track **OR**  
Notice – Case Management Conference  
*Petition and Attached Filings*  
*Motion and Order for Private Process Server* (if applicable)

**DISSOLUTION WITH CHILDREN**

2 Summonses – one for return of service & one stapled to the service packet  
Notice of Case Management Conference **OR**  
Notice – Uncontested Track  
**PARENTING BOOKLET**  
**ORDER OF ATTENDANCE TO FOCIS**  
**GUIDE TO MEDIATION**  
*Petition and Attached Filings*  
*Motion and Order for Private Process Server* (if applicable)

**PATERNITY**

2 Summonses – one for return of service & one stapled to the service packet – for each Respondent to be served  
**NOTICE OF PATERNITY ACTION**  
**PARENT AWARENESS COURSES PAMPHLET**  
**GUIDE TO MEDIATION**  
**ESTABLISHING PATERNITY**  
**PAMPHLET(FOR FATHERS ONLY)**  
*Petition and Attached Filings*  
*Motion and Order for Private Process Server* (if applicable)

**MOTIONS TO MODIFY**

2 Summonses – one for return of service & one stapled to the service packet  
Notice – Uncontested Track or Notice of Case Management Conference  
**PARENT AWARENESS COURSES PAMPHLET**  
**PARENTING BOOKLET**  
**ORDER OF ATTENDANCE TO RE-FOCIS**  
**GUIDE TO MEDIATION**  
*Motion and Attached Filings*  
*Motion and Order for Private Process Server* (if applicable)

**SHOW CAUSE ORDER**

2 *Order to Show Cause* – one for return of service & one stapled to the service packet  
*Motion for Contempt*  
*Motion and Order for Private Process Server* (If Applicable)

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**CIRCUIT CIVIL**

2 Summonses – one for return of service & one stapled to the service packet – for each Defendant to be served  
Notice of Case Management Conference  
*Petition and Attached Filings*  
*Motion and Order for Private Process Server* (if applicable)

**FAMILY ACCESS**

2 Summonses – one for return of service & one stapled to the service packet  
**RESPONSE TO MOTION FOR FAMILY ACCESS ORDER**  
*Motion and Order for Private Process Server* (if applicable)

**TERMINATION OF CHILD SUPPORT**

2 *Motion for Termination of Child Support* – one for return of service & one stapled to the service packet  
**ACKNOWLEDGMENT/ANSWER TO AFFIDAVIT FOR TERMINATION OF CHILD SUPPORT AND MODIFICATION**  
*Motion and Order for Private Process Server* (if applicable)

**PUBLICATION**<sup>4</sup>

*Notice of Publication* – party requesting publication must contact newspaper to obtain first publication date to be included on the notice  
*Order of Publication*

**ASSOCIATE CIVIL**

2 Summonses – one for return of service & one stapled to the service packet – for each Defendant to be served  
Notice of Hearing (over \$25,000)  
**NOTICE FOR THE DEFENDANT – (INDEP. ONLY, FOR OUT OF STATE SERVICE)**  
*Petition and Attached Filing*  
*Motion and Order for Private Process Server* (if applicable)

**SMALL CLAIMS**

2 Summonses – one for return of service & one stapled to the service packet – for each Defendant to be served  
**DEFENDANT INFORMATION SHEET**  
*Petition and Attached Filings*

**CITATION/SHOW CAUSE or DEBTOR'S**

**EXAM**

2 Citation/Show Cause or 2 Debtor's Exam – one for return of service & one stapled to the service packet – for each Defendant to be served

*Motion for Debtor's Exam*

*Motion and Order for Private Process Server (if applicable)*

**RENT/POSSESSION – SERVE AND POST** <sup>3</sup>

4 Summonses – one for return of service & one stapled to each of the three service packets – for each Defendant to be served

*Petition and Attached Filings*

*Motion and Order to Post*

*Certificate of Mailing*

**UNLAWFUL DETAINER – SERVE AND POST** <sup>3</sup>

5 Summonses – one for return of service & one stapled to each of the four service packets – for each Defendant to be served

*Petition and Attached Filings*

*Motion and Order to Post*

*Certificate of Mailing*

**GARNISHMENT** <sup>5</sup>

3 Writs – two for return of service stapled to the **JACKSON COUNTY RETURN SHEET (from Website) OR OUT-OF-COUNTY RETURN SHEET and one stapled to the service packet NOTICE TO GARNISHEE (from Website)**

*Interrogatories to Garnishee*

**EVICITION**

2 Writs – one for service/posting & one for return *Judgment*

Notice to Vacate – Certification (page 2)

Notice to Vacate Premises (Page 1)

**REPLEVINS**

2 Summonses – one for return of service & one stapled to the service packet – for each Defendant to be served

Notice of Case Management Conference

*Order for Delivery*

*Replevin Notice*

*Petition*

*Bond (if applicable)*

*Affidavit*

*Motion and Order for Locksmith (If Applicable)*

**LEVY**

2 Writs – one for return of service stapled to the **JACKSON COUNTY RETURN SHEET** (from Website) and one attached to the service packet

2 Notices to Debtor – 1 for the return of service AND 1 to serve on judgment debtor

*Motion and order for locksmith (if applicable)*

*Current registration from DMV (if applicable)*

**WRIT OF ATTACHMENT** <sup>6</sup>

2 Writs of Attachment – one for return of service & one stapled to the service packet

Signed Order

Motion for Writ of Attachment

Affidavit

Signed Bond, if applicable

Petition