

Pro Se Motion for Rehearing Before the Judge Pro Tem

1. **Fill out completely using typewriter or printed in black ink:**
 - a) Motion (with specific reasons)
 - b) Certificate of mailing
2. File the original and 5 copies of the Motion with the Certificate of Mailing section completed at the Clerk of the District Court. Write "District Judge Pro Tem" on the top of one of your copies.
3. The Clerk of the District Court will "file stamp" all copies and keep the original and copy marked "District Judge Pro Tem." You must serve a "file-stamped" copy of your Motion by certified mail on your ex-spouse and his/her attorney of record and **send/bring a copy** to:

District Court Trustee Office
Judicial Center
111 East 11th Street
Lawrence, KS 66044
(If you have a case open
with the Court Trustee)

OR

Social & Rehabilitation Services
1901 Delaware
Lawrence, KS 66046
(If you have a case open
with the SRS office)

For Certified Mail Service: You must now serve a "file-stamped" copy of the Motion on the Petitioner/Respondent and their attorney of record by Certified Mail (Return Receipt Requested).

After Service of Certified Mail (after the green card is returned to you): You must now fill out the form entitled, "Return of Service for Certified Mail." Fill out the form and file it with the Clerk of the District Court.

4. The District Judge Pro Tem will review your motion and grant or deny the motion for rehearing.

If granted: You will be given a rehearing date and time, and notice will be sent to you and your ex-spouse and his/her attorney of record by the Judge Pro Tem's office.

If denied: Written notice will be sent to you and your ex-spouse and his/her attorney of record by the Judge Pro Tem's office. If you wish to appeal this decision, you may request by written motion a hearing before the Judge of original assignment.

Rule 18 - Rules of Court - read as follows: (The Hearing Officer referenced below is currently equivalent to the Judge Pro Tem)

"[1] ALL ORDERS OF THE HEARING OFFICER SHALL BE DEEMED APPROVED BY A JUDGE OF DISTRICT COURT AND SHALL BECOME A FINAL JUDGMENT OF THE DISTRICT COURT UNLESS: (i) WITHIN TEN (10) DAYS FROM THE DATE OF THE FILING OF THE ORDER WITH THE CLERK OF THE DISTRICT COURT EITHER PARTY FILES A WRITTEN MOTION FOR A DE NOVO HEARING BEFORE THE JUDGE OF ORIGINAL ASSIGNMENT. NOTICE OF A REQUEST FOR A DE NOVO HEARING SHALL BE SERVED UPON THE PARTIES OR THEIR COUNSEL AND THE TRUSTEE; OR (ii) WITHIN TEN (10) DAYS AFTER THE FILING OF THE ORDER EITHER PARTY FILES A WRITTEN MOTION FOR A REHEARING BEFORE THE HEARING OFFICER IN LIEU OF A HEARING DE NOVO. A MOTION FOR REHEARING SHALL BE SUMMARILY GRANTED OR DENIED, IN WHOLE OR IN PART, BY THE HEARING OFFICER WITHIN TEN (10) DAYS OF THE FILING OF SAID MOTION. UPON THE FILING OF A JUDGMENT FORM DENYING REHEARING, THE MOVING PARTY SHALL HAVE AN ADDITIONAL TEN (10) DAYS TO REQUEST A DE NOVO HEARING BEFORE THE JUDGE OF ORIGINAL ASSIGNMENT. [2] IF NO REQUEST IS MADE WITHIN THE TIME ALLOWED FOR A DE NOVO HEARING OR REHEARING, THE HEARING OFFICER'S ORDER SHALL BE FINAL. [3] A PERSON WHO IS COMMITTED TO CUSTODY BY THE HEARING OFFICER FOR EXECUTION OF SENTENCE FOR CONTEMPT SHALL BE ENTITLED TO HAVE THE SENTENCE REVIEWED WITHIN FORTY-EIGHT (48) HOURS, EXCLUDING WEEKENDS AND HOLIDAYS, BY THE DISTRICT JUDGE OF ORIGINAL ASSIGNMENT. THE DISTRICT JUDGE MAY, UPON SUCH REVIEW, AFFIRM, MODIFY, VACATE OR STAY THE SENTENCE. IF A MOTION FOR REHEARING OR FOR DE NOVO HEARING FROM THE JUDGMENT OF THE HEARING OFFICER FINDING THE PERSON GUILTY OF CONTEMPT IS TIMELY FILED, THEN THE DISTRICT JUDGE SHALL STAY FURTHER EXECUTION OF SENTENCE PENDING THE ENTRY OF FINAL JUDGMENT."

IN THE DISTRICT COURT OF DOUGLAS COUNTY, KANSAS

IN THE MATTER OF _____)
)
)
 _____, Petitioner,)
)
 and _____)
)
)
 _____,)
)
 Respondent.)

Case No. DG _____
Division 3

MOTION FOR REHEARING BEFORE THE DISTRICT JUDGE PRO TEM

COMES NOW the (Petitioner/Respondent) and moves the Court to rehear the motion previously heard on _____, 20____, for the following **specific reasons**:

WHEREFORE, the (Petitioner/Respondent) moves the Court to grant a rehearing for the above-specified reasons.

CERTIFICATE OF MAILING

A file-stamped copy of this Motion is sent by CERTIFIED MAIL/RETURN RECEIPT REQUESTED to the (Petitioner/Respondent) and their attorney of record at the following addresses:

and copies have been provided to the District Judge Pro Tem and the Office of the Court Trustee.

Your Name _____ *Pro se*
Home address _____

Phone No. _____

IN THE DISTRICT COURT OF DOUGLAS COUNTY, KANSAS

IN THE MATTER OF)
)
_____,)
)
and Petitioner,)
)
)
_____,)
)
Respondent.)

Case No. DG
Division 3

RETURN OF SERVICE FOR CERTIFIED MAIL

State of Kansas)
)
County of Douglas)

ss.

The undersigned, being duly sworn, states: I have served a Motion for _____
_____ on the Petitioner/Respondent, 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 enclosed 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: