

DISTRICT COURT TRUSTEE  
SEVENTH JUDICIAL DISTRICT  
JUDICIAL CENTER, 111 E. 11TH  
LAWRENCE, KANSAS 66044-2966

785-832-5315  
Fax: 785-838-2408

## Pro Se Motion to Appeal Judge Pro Tem Decision

1. ***Fill out completely using typewriter or printed in black ink:***
  - a) Motion (with specific reasons)
  - b) Notice of hearing  
(contact the division of original assignment – Judge Pokorny, 832-5248 or Judge Huff, 832-5230)
  - c) Certificate of mailing
  
2. File the original and 4 copies of the Motion (with the Notice of Hearing and Certificate of Mailing sections completed) with the Clerk of the District Court.
  
3. The Clerk of the District Court will “file stamp” all copies and keep the original. You must serve a “file-stamped” copy of your Motion and Notice of Hearing by certified mail and send/bring a copy to:

<p><b>District Court Trustee Office</b> <b>111 East 11th Street, Unit 101</b> <b>Lawrence, KS 66044</b> (If you have a case open with the Court Trustee)</p>	<b>OR</b>	<p><b>Social &amp; Rehabilitation Services</b> <b>1901 Delaware</b> <b>Lawrence, KS 66046</b> (If you have a case open with the SRS office)</p>
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- For Certified Mail Service:*** You must serve a “file-stamped” copy of the Motion and Notice of Hearing 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, attach the green card, and file it with the Clerk of the District Court.
  
4. ***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.

**Rule 18 - Rules of the Court - read as follows: (The hearing officer referenced below is currently 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 14 DAYS FROM THE DATE OF THE FILING OF THE ORDER WITH THE CLERK OF THE 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 14 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 14 DAYS OF THE FILING OF SAID MOTION. UPON THE FILING OF A JUDGMENT FORM DENYING REHEARING, THE MOVING PARTY SHALL HAVE AN ADDITIONAL 14 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 \_\_\_\_\_, )  
 )  
 ) Case No. DG  
 ) Division \_\_\_\_\_  
 )  
 vs. \_\_\_\_\_, )  
 )  
 )  
 )  
 )  
 ) Respondent. )

**MOTION TO APPEAL DISTRICT JUDGE PRO TEM DECISION**

Comes now the (Petitioner/Respondent) and moves the Court to grant a De Novo Hearing on appeal of the District Judge Pro Tem decision rendered on \_\_\_\_\_, 20\_\_\_\_, for the following specific reasons:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

**NOTICE OF HEARING**

Please take notice that the above motion has been set for hearing before the Douglas County District Court at the Judicial Center, 111 East 11th, Lawrence, Kansas, in the Division \_\_\_\_\_ Courtroom on \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ a.m./p.m.

\_\_\_\_\_  
*Your signature* *Pro se*

Home address \_\_\_\_\_

Phone # \_\_\_\_\_

**CERTIFICATE OF MAILING**

A copy of this Motion is sent by CERTIFIED MAIL/RETURN RECEIPT REQUESTED to the (Petitioner/Respondent) and their attorney of record on this date \_\_\_\_\_, 20\_\_\_\_, at the following addresses:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
*Sign again here*

