

HOUSE BILL No. 2259

By Committee on Judiciary

2-7

1 AN ACT concerning domestic relations; relating to dissolution of
2 marriage; service of process; amending K.S.A. 2012 Supp. 23-2704
3 and repealing the existing section.
4

5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2012 Supp. 23-2704 is hereby amended to read as
7 follows: 23-2704. (a) *Verification of petition.* The truth of the allegations
8 of any petition under this article must be verified by the petitioner in
9 person or by the guardian of an incapacitated person.

10 (b) *Captions.* All pleadings shall be captioned, "In the matter of the
11 marriage of _____ and _____." In the caption, the name of the
12 petitioner shall appear first and the name of the respondent shall appear
13 second, but the respective parties shall not be designated as such.

14 (c) *Contents of petition.* The grounds for divorce, annulment or
15 separate maintenance shall be alleged as nearly as possible in the general
16 language of the statute, without detailed statement of facts. If there are
17 minor children of the marriage, the petition shall state their names and
18 dates of birth and shall contain, or be accompanied by an affidavit which
19 contains, the information required by K.S.A. 2012 Supp. 23-37,209, and
20 amendments thereto.

21 (d) *Bill of particulars.* The opposing party may demand a statement
22 of the facts which shall be furnished in the form of a bill of particulars.
23 The facts stated in the bill of particulars shall be the specific facts upon
24 which the action shall be tried. If interrogatories have been served on or a
25 deposition taken of the party from whom the bill of particulars is
26 demanded, the court in its discretion may refuse to grant the demand for a
27 bill of particulars. A copy of the bill of particulars shall be delivered to the
28 judge. The bill of particulars shall not be filed with the clerk of the court or
29 become a part of the record except on appeal, and then only when the issue
30 to be reviewed relates to the facts stated in the bill of particulars. The bill
31 of particulars shall be destroyed by the district judge unless an appeal is
32 taken, in which case the bill of particulars shall be destroyed upon receipt
33 of the final order from the appellate court.

34 (e) *Service of process.* Service of process shall be made in the manner
35 provided in article ~~27~~ 3 of chapter ~~23~~ 60 of the Kansas Statutes Annotated,
36 and amendments thereto.

1 Sec. 2. K.S.A. 2012 Supp. 23-2704 is hereby repealed.

2 Sec. 3. This act shall take effect and be in force from and after its
3 publication in the statute book.