

Petition to Determine Indigency of a Registered Offender

Per the Office of Judicial Administration (OJA), the following steps are required to file a Petition to Determine Indigency of a Registered Offender with the Court Clerk's Office:

1. File the Petition and Affidavit
The petitioner must file a petition and affidavit stating the factual basis for the request with the Clerk's Office.
2. Case Filing
A new MV–Miscellaneous Other case will be opened. No docket fee will be charged.
3. Notification to the Court
The Clerk's Office will notify the appropriate court division of the new filing.
4. Court Review
The Court will either grant or deny the petition, with or without a hearing.
5. Copy of the Order
A copy of the Court's order will be provided to the petitioner.

Responsibility for Preparing the Paperwork

It is the petitioner's responsibility to complete all required paperwork. Petitioners must prepare the petition themselves or consult with an attorney.

Per Local Rule 3.7, you are required to submit an AI Certificate with every document you create on your own. ([Johnson County District Court Local Rule 3](#)). A fillable AI certificate is attached.

Per Supreme Court Rule 24, you are required to complete a Self-Represented Litigant Certification Form. [Supreme Court Rule24\(b\)](#). A fillable form is attached.

Court staff cannot assist with drafting or completing the petition.

Sample petitions may be available through the Kansas Judicial Council at www.kjc.ks.gov.

Additional self-help resources may be available through [Kansas Courts Self-Help](#) at www.kscourts.gov.

How to File

Once the paperwork has been properly completed, it may be submitted to the Clerk's Office Civil Window for filing.

Completed paperwork may also be submitted by:

- Email:
DCCCivilClerks@jocogov.org
- Fax: 913-715-3401

Legal Advice

Court clerks and their deputies are prohibited by law from preparing petitions, answers, or other pleadings for individuals or providing legal services in cases pending before the court in which they serve.

"It shall be unlawful for clerks of the district court or any of their deputies to write any petition or answer or other pleadings in any proceedings, or perform any service as an attorney or counselor at law in any case or cases pending in the court in which they are either clerk or deputy..."

K.S.A. 20-3133; Supreme Court Rule 1402

Filing Fee

The filing fee for this petition has been waived pursuant to Senate Bill 487.



Your communication with court staff is not privileged or confidential, and it does not create a lawyer-client relationship.

Court staff must remain neutral and impartial. Court staff will treat you with respect.

You should talk to a lawyer if you want personalized legal advice.

What you can expect from court staff

Staff CAN:

Suggest talking to a lawyer.

Give you information about resources, such as:

- lawyer referral services that can direct you to low-cost or no-cost legal help where available;
- legal aid programs;
- where to find online forms; and
- the public library.

Explain the process and costs of filing.

Check forms for completeness.

Exactly record information provided if you are unable to fill out the form yourself.

Explain the hearing process.

Help locate local records.

Staff CANNOT:

Give you legal advice.

Tell you if you should file a case.

Perform legal research.

Represent you in court.

Investigate case facts.

Tell you what a statute or rule means and whether it applies to your case.

Tell you what the result of a case will be.

Disclose confidential information.

Tell you what to say.

Talk to the judge for you.





Su comunicación con el personal judicial no es privilegiada ni confidencial, y no establece una relación de abogado y cliente.

El personal judicial debe permanecer neutral e imparcial. El personal judicial lo tratará con respeto.

Usted debe hablar con un abogado si desea asesoría legal personalizada.

Lo que puede esperar del personal judicial



El personal PUEDE:

Sugerir que hable con un abogado.

Brindarle información sobre recursos, tal como:

- Servicios de referencia de abogados para obtener asesoría legal disponible a bajo costo o gratuita;
- Programas de asesoría legal;
- Donde encontrar formularios en línea; y
- La biblioteca pública.

Proporcionar información sobre el proceso y los costos para los trámites.

Verificar que los formularios estén completos.

Anotar exactamente la información proveída por usted, en caso que usted mismo no pueda llenar el formulario.

Proporcionar información sobre el proceso judicial.

Ayudarle a obtener registros judiciales.



El personal NO PUEDE:

Darle asesoría legal.

Decirle si debe o no presentar un caso.

Realizar una investigación legal.

Representarlo en el juzgado.

Investigar sobre los hechos de un caso.

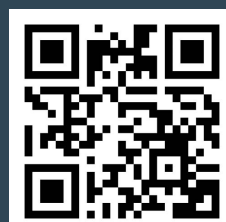
Decirle lo que significa una ley o norma y si se aplica o no a su caso.

Decirle que será el resultado de un caso.

Revelar información confidencial.

Sugerirle lo que debe decir.

Hablar con el juez por usted.



OFFENDER REGISTRATION INDIGENCY AFFIDAVIT

Pursuant to Senate Bill 487, New Section 3, K.S.A. 22-4905(l)(3), K.S.A. 60-2001, and K.S.A. 21-5903.

County: _____

Offender Name: _____

Date of Birth: _____

Current Address: _____

Phone Number: _____

I hereby petition the District Court to determine that I am indigent for purposes of offender registration fees under K.S.A 22-4905.

I state under oath that, because of poverty, I am unable to pay the offender registration fees required by law.

Source(s) of Income: _____

Weekly Income Amount: _____

Monthly Expenses: _____

Dependents (if any): _____

Additional information supporting indigency:

I certify under penalty of perjury pursuant to K.S.A 21-5903 that the information contained in this affidavit is true and correct.

Offender Signature: _____

Date: _____

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

My Commission Expires: _____

Court Order

☐

Petition Granted – Offender determined indigent pursuant to K.S.A. 22-4905(l)(3)

☐

Petition Denied

Judge: _____

District Court of _____ County, Kansas

Date: _____

Certification, pursuant to Local Rule 3.7

☐ [Pursuant to Local Rule 3.7, the undersigned hereby certifies that no portion of [Title of Document] was drafted/prepared using Generative A.I.]

OR

☐ [Pursuant to Local Rule 3.7, the undersigned hereby certifies that Generative A.I. was used to draft/prepare [Title of Document]. Specifically, [Name of A.I. tool] was used, in whole or in part, to draft/prepare this submission. The undersigned further certifies that he/she has independently verified the accuracy of every citation to the law or to the record and that any language drafted by Generative A.I., including quotations, citations, paraphrased assertions, and/or legal analysis has been included and submitted after considering the requirements of KSA 60-211 and any applicable ethical rules governing attorneys.]

Respectfully submitted,

Self-Represented Litigant Certification Form

By signing this form, I certify that the attached filing complies with the certification requirements in the Temporary Rule for Filing in a District Court by a Self-Represented Litigant.

I CERTIFY: *(You must complete this section.)*

- ☐ I signed the attached filing and provided my name, address, telephone number, email address (if available), and fax number (if available).

I ALSO CERTIFY: *(Only complete **one** of the next two sections.)*

- ☐ My document **does not contain prohibited personally identifiable information** (“PII”). I checked my document for PII and made sure that my document meets the requirements of the Temporary Rule. It meets those requirements because:
- ☐ my document does not include any of the items listed in [Supreme Court Rule 24\(b\)](#). *(This list is printed on the back of this form for reference.)*
 - ☐ my document is a Kansas Judicial Council form and I have only provided information that is required on the form.
 - ☐ the information in my document meets an exception in [Supreme Court Rule 24\(c\)](#). *(This list is printed on the back of this form for reference.)*

OR:

- ☐ My document **may contain prohibited PII**, but I am asking the court to file it confidentially under seal for the following reason: *(Choose one.)*
- ☐ the court entered a prior order on _____ that seals this document.
 - ☐ the document I am filing now asks the court to issue an order to seal a different document that is not yet filed *(describe the document without using PII)*: _____.
 - ☐ the document I am filing now asks the court to seal a document that is already filed in this case *(describe the document without using PII)*: _____.

Date: _____

Signature: _____

Name of Party: _____

Personally Identifiable Information – Supreme Court Rule 24(b)

- (1) the name of a minor who is not a named party in a case and, if applicable, the name of a person whose identity could reveal the name of a minor who is not a named party in a case;
- (2) the name of an alleged victim of a sex crime;
- (3) the name of a petitioner in a protection from abuse case;
- (4) the name of a petitioner in a protection from stalking, sexual assault, or human trafficking case;
- (5) the name of a juror or venire member;
- (6) a person's date of birth except for the year;
- (7) any portion of the following:
 - (A) an email address except when required by statute or rule;
 - (B) a computer username, password, or PIN; and
 - (C) a DNA profile or other biometric information;
- (8) the following numbers except for the last four digits:
 - (A) a Social Security number;
 - (B) a financial account number, including a bank, credit card, and debit card account;
 - (C) a taxpayer identification number (TIN);
 - (D) an employee identification number;
 - (E) a driver's license or nondriver's identification number;
 - (F) a passport number;
 - (G) a brokerage account number;
 - (H) an insurance policy account number;
 - (I) a loan account number;
 - (J) a customer account number;
 - (K) a patient or health care number;
 - (L) a student identification number; and
 - (M) a vehicle identification number (VIN);
- (9) any information identified as personally identifiable information by court order; and
- (10) the physical address of an individual's residence.

Exceptions – Supreme Court Rule 24(c)

- (1) an account number that identifies the property alleged to be the subject of a proceeding;
- (2) the name of an emancipated minor;
- (3) information used by the court for case maintenance purposes that is not accessible by the public;
- (4) information a party's attorney or a self-represented litigant reasonably believes is necessary or material to an issue before the court;
- (5) the first name, initials, or pseudonym of any person identified in Rule 24(j)(2)(A) to (j)(2)(E);
- (6) any information required to be included by statute or rule; and
- (7) any information in a transcript.

NOTE: Supreme Court Rule 24 includes multiple comments that explain the rule's requirements and exceptions. The summary above is provided for reference, but you should read the rule with comments to fully understand the rule. You will find the full rule here:

<https://www.kscourts.gov/Rules-Orders/Rules/Protection-of-Personally-Identifiable-Information>

