

2012 Kansas Statutes

60-703. Attachments, how obtained. The order of attachment shall be issued by a judge of the district court upon the filing of a petition stating the claim and the filing of an affidavit, or an affidavit and bond as required in this article, except that no order of attachment shall be issued before judgment on plaintiff's claim where the property of the defendant to be attached is in the possession of a third party and is in the form of earnings due and owing to the defendant. The filing of an affidavit stating one or more grounds of attachment is required in every case. A bond is required in every case except in actions instituted on behalf of the state of Kansas or a county of the state. The order of attachment may be issued and executed on Sunday, a legal holiday, or a day on which the office of the clerk of the court is not accessible if the affidavit states that the party seeking the attachment will lose the benefit thereof unless the writ be issued or served on such day. The provisions of this section shall not be applicable to garnishments authorized pursuant to K.S.A. 2012 Supp. 23-2707, and amendments thereto.

History: L. 1963, ch. 303, 60-703; L. 1970, ch. 238, § 5; L. 1977, ch. 202, § 2; L. 1979, ch. 183, § 1; L. 2010, ch. 11, § 15; L. 2012, ch. 162, § 78; May 31.