

Documentation Required when submitting initial application for nursing licensure

If reporting Misdemeanor and/or Felony Convictions you **must obtain and submit** certified dated copies of the ACTUAL court documents and an explanatory letter regarding the convictions with your application.

These documents **could** include the following:

- *Uniform Notice to Appear and Complaint*
- *Complaint*
- *Amended Complaint (if any)*
- *Journal Entry of Judgment and Sentencing (indicating you were convicted of this offense)*
- *Diversion Agreement (if any) and current status*
- *Order of Dismissal (stating the Diversion has been completed)*
- *Probation Agreement (if any) and current status*
- *Order Terminating Probation (if any)*
- *Order of Dismissal (indicating the case was dismissed with/without prejudice)*
- *Proof that all fines, fees, costs, and/or restitution have been paid or of payment status to date*

The above court documents can be obtained from the court clerk where the case was resolved.

THE ABOVE COURT DOCUMENTS MUST BE CERTIFIED AND DATED BY THE COURT CLERK AND CANNOT BE OTHERWISE ALTERED BY PEN, PENCIL, WHITE-OUT AND/OR COLORED HIGHLIGHTER.

The explanatory letter is required of you and should include the following:

- circumstances leading up to the offense;
- date of the offense;
- actual conviction;
- actual sentence; and
- current status of the sentence.

If you have ever received a Diversion for Driving Under the Influence (DUI), Driving While Intoxicated (DWI), Driving While Suspended (DWS), Minor in Consumption (MIC), Minor in Possession (MIP), No proof of insurance to list a few. Then you are required to obtain and submit your Kansas Driver's License Folder (If in another state must obtain Driver's License Record/that state.) **Disciplinary action taken against a driver's license is a separate issue from a court conviction and/or diversion.**

If your driver's license has been suspended or restricted for any reason, then you will also need to obtain a certified dated copy of your Driver's License Folder. These documents will all need to be submitted with your application and an explanatory letter as well. **The certified dated copy is a \$25.00 fee.** The “licensing authority” for your Kansas driver’s license is the Kansas Department of Revenue, which governs the Department of Motor Vehicles (DMV). Disciplinary action taken against a driver’s license is a separate issue from a court conviction and/or diversion.

- if disciplinary action has ever been taken against your driver’s license, you are required to provide a certified copy of your Driver’s License Folder, which can only be obtained from the Kansas Department of Revenue in Topeka, Kansas. (See form or obtain online at Department of Motor Vehicle website);
- if disciplinary action has ever been taken against your driver’s license (for any reason), you are required to provide an explanatory letter which should include the following for each disciplinary action:
 - circumstances leading up to the disciplinary action;
 - date of the disciplinary action;
 - actual disciplinary action; and
 - current status of the disciplinary action.

Electronic mail (e-mail) and facsimile (FAXed) documents are NOT acceptable to the KSBN’s investigative division.

THE PROCESS:

Once the above documents are received by the KSBN’s investigative division (and acceptable), your nursing application/case file will have to be presented to the KSBN’s Investigative Committee Chairperson for a decision regarding **licensure**. Also, to help the process make sure and submit your fingerprints at the same time you submit your application. If legal issues appear on your criminal background report, then this will give you time to get all required documentation in prior to your graduation.

Court Document Requirements:

If the conviction occurred at the city level, the court documents can be obtained from the municipal court clerk. If the conviction occurred at the county level, the court documents can be obtained from the district court clerk (circuit court in Missouri and some other states).

Certified/dated copies of the **ACTUAL** court documents are **required** by KSBN whenever possible.

If the conviction was greater than 5 years prior to the date of submission of the nursing application, many courts aren't able to and/or don't keep the actual court documents due to lack of space and/or retention policies for that particular court.

If the actual court documents are no longer available, the applicant needs to ask the court clerk to write the applicant's court case information in a letterhead letter, including why the actual court documents are no longer available (clerk must sign/date the letter and that original letter must be sent to KSBN with the nursing application).

If the court clerk will not provide the above letter and/or court documents, the applicant shall state so in their own explanatory letter, giving the name/address/phone number of the court clerk with whom the applicant spoke. The applicant **must** make an effort to obtain the court documents and/or letterhead letter. If the applicant is unsuccessful, the KSBN legal staff may be able to call/write the court clerk in an effort to assist the applicant.

Some courts can only provide certified/dated copies of computer screen printouts (usually in traffic cases), which is acceptable to KSBN if it is the only way to provide proof of a conviction.

When the applicant is not near the location of the court where the conviction occurred, the applicant can mail/fax the applicable portion of the application instructions and/or KSBN instruction letter **to** the court clerk so the court clerk will know exactly what document/information is required by KSBN.

The "Filed" stamp date on a court document (usually in the upper right hand corner of a court document) is **NOT** the same as **certified/dated**. The "filed" stamp date is the date someone (usually an attorney or their secretary) "filed" that document with the court clerk so that it would become "official".

Certified/dated by the court clerk indicates the copies of the court documents given to the applicant are "authentic" copies of the originals maintained in the clerk's office.

Certification/dating (of the court documents) can be in the form of:

- an **ink stamp** (somewhat like a notarized stamp)

Example of what is stamped on the court document when **certified**:

"the above is true and correct copy of the original instrument
which is on file or of record in the court."

(signature of court clerk)

(date)

(location of court)

- an **embossed/raised seal**
- a **cover letter** or a **cover letter with a sticky gold seal& red ribbon** (federal cases)

If the court documents for a single court case are stapled together and only the top/bottom page is certified/dated by the court clerk, then that is acceptable to KSBN as long as the staple is not disturbed prior to delivery of the documents to KSBN.

The applicant **MUST** either mail or bring the **certified/dated** copies of the court documents to KSBN (that were given to them by the court clerk).

Certified/dated copies of the actual court documents **CANNOT be FAXED** to the KSBN or to the applicant.

XEROXED COPIES OF CERTIFIED/DATED COPIES ARE NOT ACCEPTABLE FOR THE KSBN.