

DIVORCE OR LEGAL SEPARATION, PART 2: FILING CONTESTED WITH MINORS

MILWAUKEE COUNTY

FILING AND SERVICE FEES (may be waived with approved Fee Waiver)

- \$5: for docketing fee (not able to be waived)
- \$75: for service through the Milwaukee County Sheriff, if applicable

FORMS and COPIES NEEDED

- **Proof of Service** (Affidavit of Service)
- **Request for Pre-trial** (Original only)
- **Financial Disclosure Statement** (Original and 2 copies)
- **Proposed Marital Settlement with Minor Children** (Original and 3 copies)
- **Proposed Parenting Plan** (Original and 3 copies)
- **Parent Education Class Completion Certificate** (Original or Copy)
- **Interim Financial Summary**, if child support or maintenance is requested (Original only)
- **Order for Pre-trial / Order to Appear** (Self-copying original only)
- **Affidavit of Non-military Service**, notarized signature required (Original only)
- **Divorce/Annulment Worksheet** (Original only; *not required for Legal Separation*)
- **Findings of Fact, Conclusions of Law, & Judgment with Minor Children** (Original and 2 copies)
- **Parties Approval of Findings of Fact, Conclusion of Law & Judgment signature page** (Original and 2 copies attached to Findings of Fact, Conclusions of Law, & Judgment)
- **2 Large Envelopes**, one addressed to each party, with 4 stamps on each (Do not put anything inside)
- **Fee Waiver**, if needed (Original only)

SECTION A: Requesting a Fee Waiver

If you intend to request that the Court waive the service fees, complete the following steps. If you are not requesting a fee waiver, move to Section B.

- Get Proof of Income or Proof of Public Assistance
 - The Milwaukee County Law Library (Room G8-1) can help print proof of FoodShare
 - Other proof of income/assistance (1 mo. worth of pay stubs, SSI/SSDI statement, etc.) must come from your records or the issuing agency
- Take **notarized** fee waiver AND proof of income / public assistance to **Room 609**

SECTION B: Filing Part 2 and Receiving a Pre-trial Court Date

Complete the following steps in order.

- Pay \$5.00 docketing fee in **Room 104 (Clerk of Court)**, add receipt to documents.
- File original documents, copies, and envelopes in the **Judge's Courtroom, Room: _____**
- Serve the other party a copy of the following documents within **5 business days** before the pre-trial date:
 - *Your Financial Disclosure Statement *Proposed Marital Settlement Agreement
 - * Proposed Parenting Plan *Order for Pre-Trial / Order to Appear
 - If the other party lives in Milwaukee County, you can serve through the Milwaukee County Sheriff's Department (**Safety Building, Room 102**)
 - If you are unable to use the Milwaukee County Sheriff, you may attempt service in one of the following ways: a) Sheriff's Department in the county where the other party lives or b) a private process server

SECTION C: Next Steps

- If the other party **could not be served**, return to the Milwaukee Justice Center as soon as possible.
- If the other party **was served**, bring proof of service to your pre-trial hearing.
- Bring any other documents (updated pay stubs, account numbers, Social Security Numbers) to the pre-trial hearing.