**Divorce or Legal Separation, Part 2: FILING CONTESTED WITH MINORS**

**Milwaukee County**

**FILING AND SERVICE FEES**

* **$5.00:** for the court docketing fee(can’t be waived with a Fee Waiver)
* **$90**: for service through the Milwaukee County Sheriff (**$0** with an approved Fee Waiver)
	+ For service through sheriff’s departments outside Milwaukee County: **fees vary** by county (some accept approved Fee Waivers from outside their county; some do not).

**FORMS and COPIES NEEDED** (all originals AND copies must be single-sided)

* **Proof of Service** (document saying spouse was served with Part 1 forms. Service must be within 90 days of filing date) 🡪 Original only
* **Request for Pre-trial** (Milwaukee County form) 🡪 Original only
* **Financial Disclosure Statement** (FA-4139V) **🡪** Original and 3 copies
* **Proposed Marital Settlement Agreement with Minor Children** (FA-4152V) **🡪** Original and 3 copies
* **Proposed Parenting Plan** (FA-4147V) **🡪** Original and 3 copies
* **Parent Education Class completion certificate 🡪** Original only
* (optional) **Interim Financial Summary** (FA-612) **🡪** Original only
* **Order for Pre-trial/Order to Appear** (Milwaukee County form) 🡪 Original only
* **Declaration of Non-military Service** (GF-175) **🡪** Original only
* **Divorce/Annulment Worksheet** (F-05080) **🡪** Original only
* **Findings of Fact, Conclusions of Law, & Judgment with Minor Children** (FA-4160VA) **🡪** Original and 3 copies
* **Parties’ Approval of Findings of Fact, Conclusions of Law, & Judgment with Minor Children** (FA-4160VB) **🡪** Original and 3 copies
* (optional) **Abridgement Regarding Surname** (FA-4133V) **🡪** Original only
* **2 large manila envelopes and 8 stamps 🡪** Put 4 stamps on each envelope. Address one envelope to yourself and the other to your spouse. Don’t put anything inside the envelopes (the court will use them to send each spouse info/orders regarding the final hearing).

**SECTION A: Requesting a Fee Waiver**

*If you can’t afford the service fees and want to ask the court to waive the fees, complete the following steps. If you are not* *requesting a Fee Waiver, move to Section B.*

* **DO NOT sign or date the Fee Waiver until you are in front of a notary.** You can get documents notarized in Room 104 of the courthouse or at most banks and post offices. Bring your photo ID!
* **Get Proof of Income or Proof of Public Assistance/Benefits.**
	+ If you think you qualify based on your income, you can show pay stubs, proof of unemployment, etc.
	+ If you receive public assistance (FoodShare, BadgerCare, etc.), the easiest way to get the Fee Waiver approved is by showing the [MyACCESS Mobile App](https://www.dhs.wisconsin.gov/forwardhealth/myaccess.htm) on your phone. You can download the app at [www.dhs.wisconsin.gov/forwardhealth/myaccess](http://www.dhs.wisconsin.gov/forwardhealth/myaccess).
* **Room 609 (Chief Judge’s Office):** Take both ***notarized*** fee waiver AND proof of income / public assistance.

**SECTION B: Filing Part 2 and Getting a Court Date**

*Complete the following steps in order.*

* **Room 104 (Clerk of Court)**
	+ Pay the $5 docketing fee and keep the receipt.
* **Judge’s courtroom: \_\_\_\_\_\_\_\_\_\_**
	+ To get a hearing date, file all documents (originals, copies, Parent Education Class certificates, and stamped/addressed envelopes) in your Judge’s courtroom.
	+ If you don’t know where your Judge’s courtroom is, you can ask the clerk in Room 104.

**SECTION C: Next Steps**

* **Serve your spouse at least 5 business days before your court date.**  After the court gives you a hearing date and copies of the forms you filed, serve the other party a copy with of your Financial Disclosure Statement, Proposed Marital Settlement Agreement, Proposed Parenting Plan, and the Order for Pretrial/Order to Appear (which will have the court date on it).
	+ **Safety Building, Room 102:** If your spouse lives in Milwaukee County, we recommend serving through the **Milwaukee County Sheriff’s Department.**
	+ If your spouse lives outside of Milwaukee County, we recommend serving through the Sheriff’s Department in that county or through a private process server in that county/city.

If you were **not able to get your spouse served**, contact the Milwaukee Justice Center right away for help discussing your options.

* **Attend your hearing.**
	+ Bring your $5.00 docketing fee receipt and any other documents (updated pay stubs, account numbers, social security numbers, etc.) to the court date.
	+ If your hearing is remote (on the Zoom video conferencing app), the court will give you instructions on how to join.
* ***Questions?***
	+ **To get help with the forms or filing procedures**: Email the Milwaukee Justice Center at mjcdivorce@gmail.com. We do not offer walk-in assistance with Part 2s; you must have a set appointment.
	+ **To answer your own questions:**You can find the forms, directions, and tutorial videos on how to complete the forms at this website:<https://www.milwaukeejusticecenter.org/howtovideos.html>.