

## MILWAUKEE COUNTY

# How to Ask to Seal Your Eviction Record without a Hearing

This document explains how to file paperwork to seal or redact an eviction record without a hearing. A motion to seal asks the court to remove a tenant's name from Wisconsin's public court records.

There are five forms in this packet:

1. Notice of Motion and Motion to Seal or Redact Eviction Record
2. Declaration in Support of Motion to Seal or Redact Eviction Record
3. Plaintiff's Response to Motion to Seal or Redact Eviction Record
4. Order on Motion to Seal or Redact Eviction Record
5. Affidavit of Mailing (SC-5130V)

This packet was designed to use in eviction cases when:

1. There is no judgment that says the tenant owes the landlord money; and
2. The eviction was either:
  - Dismissed by the court
  - Dismissed by a stipulated agreement that was completed, or
  - A money judgment has been paid in full, and you have documentation showing the money was paid



**DO NOT USE THIS PAPERWORK IF YOU WERE EVICTED AND HAVE A MONEY JUDGMENT.**

Steps to complete this packet:



1. Look up your eviction case
2. Complete forms in this packet
3. Provide your landlord the eviction sealing forms
4. File eviction sealing forms in Room 409 of the courthouse
5. Check the status of your request

See the next pages for more information.

## Step 1: Look up your eviction case



1. Visit [wcca.wicourts.gov](http://wcca.wicourts.gov)
2. Click the box that says “I agree”
3. Enter your last and first name in the assigned boxes
4. Enter Milwaukee County (and the case number if you have it)
5. Scroll through the section titled “Court record”
  - a. Check if your case was dismissed in its entirety
    - i. Look for an entry that says, “**dismissed not contested/joined,**” “**dismissed,**” or “**as to all causes of action – dismissed**”
    - ii. If your case was dismissed, move on to Step 2
  - b. Check to see if your case was resolved by stipulation
    - i. Look for an entry that says “**stipulated dismissal**”
    - ii. If you have done what was required in the stipulation (moved out by the moveout date and/or made the required payments), proceed to Step 2
    - iii. If you have not finished your payment plan, move on to Step 2 AFTER you have completed your payments
  - c. Scroll to see if there is an entry that says “**Notice of entry of judgment**” or a section below the court record section titled “**Civil judgment details**”
    - i. If you have this section in your case, you have an outstanding money judgment and need to reach out to your landlord **before** you fill out the motion to seal paperwork.
    - ii. Your landlord will need to provide you a satisfaction of judgment form and that form will need to be filed before you submit these forms.

## Step 2: Fill out the eviction sealing forms and make copies

See examples of completed forms on pages 5-10 of this packet.

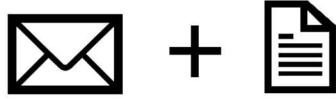


## Step 3: Check if the landlord e-files. If they do not e-file, mail the forms to the landlord

1. Check if the landlord e-files – if they e-file, they are served as soon as you file the documents. You do not need to mail them a copy.
2. To check if the landlord e-files:
  - a. Visit Wisconsin Court Access (CCAP) at [wcca.wicourts.gov](http://wcca.wicourts.gov)
  - b. Click the button that says “I agree”
  - c. Search for case by entering your name and selecting Milwaukee County
  - d. Scroll to the bottom to the earliest date in the case

- e. Look for an entry that says, “**Case initiated by electronic filing**”
3. If you do not see “Case initiated by electronic filing,” you **must** mail a copy of the motion to the landlord so they know you filed the motion

To serve the landlord:



Send them a copy of the paperwork by regular mail. Complete an **Affidavit of Mailing** and file it in Room 409 of the courthouse. **The Affidavit of Mailing needs to be notarized.**

## Step 4: File the eviction sealing forms

1. Bring all completed forms and the Affidavit of Mailing or certified mail receipt if you served by certified mail to Room 409 of the courthouse.
2. Forms include:
  - a. Notice of Motion and Motion to Seal or Redact Eviction Record
  - b. Declaration in Support of Motion to Seal or Redact Eviction Record
  - c. Plaintiff’s Response to Motion to Seal or Redact Eviction Record
  - d. Order on Motion to Seal or Redact Eviction Record
  - e. Certified mail receipt or Affidavit of Mailing form SC-5130V (the Affidavit of Mailing needs to be notarized – this can be done in Room 104)

## Step 5: Check the status of your redaction request



1. Check the status of your case on CCAP more than 15 days after you filed the paperwork in Room 409
  - a. Visit [wcca.wicourts.gov](http://wcca.wicourts.gov)
  - b. Click the box that says “I agree”
  - c. Enter your last and first name in the assigned boxes
  - d. Enter Milwaukee County (and the case number if you have it)



STATE OF WISCONSIN      CIRCUIT COURT      MILWAUKEE COUNTY

Enter the name and address of the Plaintiff/Landlord in the eviction case.

**Plaintiff/Landlord**

WRITE YOUR LANDLORD'S NAME HERE

Name (First, Middle, and Last)

WRITE YOUR LANDLORD'S ADDRESS HERE

Current Mailing Address

WRITE YOUR LANDLORD'S ADDRESS HERE

City

State

Zip

**Declaration in Support to Seal or Redact Eviction Record**

Case No.

WRITE CASE NUMBER

Enter the name and address of the Defendant/Tenant in the eviction case.

-VS

**Defendant/Tenant**

WRITE YOUR NAME HERE

Name (First, Middle, and Last)

WRITE YOUR ADDRESS HERE

Current Mailing Address

WRITE YOUR ADDRESS HERE

City

State

Zip

I am asking the court to redact my name from the eviction case record.

**For Plaintiff:** *If you object to this motion to seal or redact, you must file the attached Plaintiff Response to Motion to Seal or Redact Eviction Record with the court no later than 15 days after receiving the motion. If you do not, the court may proceed without you and grant the request,*

**I, the undersigned, declare that:**

1. The eviction case was:

- Dismissed in its entirety *[first, second, and third causes]*
- Dismissed by stipulation **AND**

Check the boxes that best describe how your case was resolved.

- I have made all payments according to the payment plan if there was a payment plan in the stipulation.
- I moved out before or on the move-out date if a move-out date was listed in the stipulation, so a writ of restitution was not acted upon by the Milwaukee County Sheriff's Department.

2. For money judgments:

- No money judgment was issued on any cause *(including court costs)*.
- I have paid off the money balance in full and have filed a Satisfaction of Judgment I received from the landlord.

Check the boxes that describe your reasons for requesting the redaction.

3. The reason for my request is because of the following: *[check all that apply]*
- I have had difficulties finding housing
  - I have been told I was denied housing because of the eviction
  - I have been searching for housing for \_\_\_\_\_ *(insert amount of time that you have searched for housing)* and have not found a stable place to live.

Explain how having this record sealed will benefit you and anyone in your household. Include any additional factors you would like the court to consider.

4. Sealing my name in this eviction case would help me because: *[this section is optional]*

WRITE YOUR SPECIFIC REASONS THAT YOU BELIEVE SEALING THIS CASE WILL HELP YOU HERE.

**VERIFICATION:** Under penalty of perjury, I state that the above declaration is true, except as those matters stated upon information and belief, and as to those matters, I believe them to be true.

Sign and print your name.  
Enter your address and contact information.  
Enter the date you signed this document.  
**NOTE:** This form does not need to be notarized.

SIGN YOUR NAME HERE  
\_\_\_\_\_  
Signature

PRINT YOUR NAME HERE  
\_\_\_\_\_  
Print or Type Name

WRITE YOUR ADDRESS HERE  
\_\_\_\_\_  
Address

ENTER YOUR EMAIL, ENTER YOUR PHONE NUMBER  
Email Address Telephone Number

TODAY'S DATE HERE  
\_\_\_\_\_  
Date

**STATE OF WISCONSIN                      CIRCUIT COURT                      MILWAUKEE COUNTY**

Enter the Plaintiff/Landlord's full name.	<b>Plaintiff/Landlord:</b> INSERT LANDLORD'S NAME HERE	<b>Order on Motion to Seal or Redact Eviction Record</b>
	Name (First, Middle, and Last)	
Enter the Defendant/Tenant's full name.	<b>Defendant/Tenant:</b> INSERT YOUR NAME HERE	Case No. INSERT CASE NUMBER HERE
Enter the case number.	Name (First, Middle, and Last)	

A Motion to Seal or Redact an Eviction Record was filed on [Date]:\_ INSERT DATE THE MOTION WAS FILED \_\_\_\_\_

**THE COURT ORDERS:**

- 1. Motion to seal granted
  - 2. Motion to seal denied for failure to:
    - Serve opposing party
    - Demonstrate good cause
    - Other: \_\_\_\_\_
  - 3. A hearing on the motion to seal will be held on:
    - A date to be set and a Notice of hearing will be provided
- OR**
- The following date and time:

Date	Time	Location
Court Official		

- DISTRIBUTION:**
- 1. Court
  - 2. Parties

Enter the name of the county in which you are filing, or have already filed, this case.	<b>STATE OF WISCONSIN, CIRCUIT COURT, MILWAUKEE _____ COUNTY</b>	<b>Affidavit of Mailing (Small Claims)</b>  Case No. <u>CASE # HERE</u>
Enter the Plaintiff's name.	Plaintiff(s): <u>WRITE LANDLORD'S NAME HERE</u>	
Enter the Defendant's name.	-vs- Defendant(s): <u>WRITE YOUR NAME HERE</u>	
Enter the case number.		

<p><b>After</b> you have mailed the summons and complaint, or other document, you must complete the information to the right.</p>	<p><b>UNDER OATH, I STATE:</b></p> <p>I placed in an envelope a copy of the following documents:</p> <p><input type="checkbox"/> Authenticated Copy of the Summons and Complaint</p> <p><input checked="" type="checkbox"/> Motion: <u>NOTICE OF MOTION AND MOTION TO SEAL</u></p> <p><input checked="" type="checkbox"/> Other: <u>PLAINTIFF'S RESPONSE TO MOTION TO SEAL OR REDACT EVICTION RECORD</u></p>
<p>Enter the date [month, day, year] on which you placed the documents in a mailbox, and the name(s) and address(es) of the person to whom you mailed them.</p>	<p>I mailed that envelope with proper postage affixed on [Date] <u>MAILING DATE HERE</u> to:</p> <p>Name <u>WRITE LANDLORD'S NAME HERE</u></p> <p>Address <u>WRITE LANDLORD'S ADDRESS HERE</u></p> <p>Address _____</p> <p>City _____ State _____ Zip _____</p> <p>Name _____</p> <p>Address _____</p> <p>Address _____</p> <p>City _____ State _____ Zip _____</p>

**STOP!**

**Take this document to a Notary Public BEFORE you sign it.**

<p>After you have been sworn by a Notary Public, sign and print your name and date the document in front of the Notary Public.</p>	<p>State of _____</p> <p>County of _____</p> <p>Subscribed and sworn to before me on _____</p> <p>_____ Notary Public/Court Official</p> <p>_____ Name Printed or Typed</p> <p>My commission/term expires: _____</p> <p><input type="checkbox"/> This notarial act involved the use of communication technology.</p>	<p>▶ _____ Signature</p> <p>_____ Print or Type Name</p> <p>_____ Address</p> <p>_____ Email Address</p> <p>_____ Telephone Number</p> <p>_____ Date</p> <p>_____ State Bar No. (if any)</p>
<p>Have the Notary Public sign, date, and seal the document.</p>		