**Modification Motion—Milwaukee County**

**(*Notice of Motion and Motion to Change)***

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

* **$30**: for motions on child support
* **$50**: for motions on custody/placement OR combined motions on child support & another issue
* **$90**: for service through the Milwaukee County Sheriff
	+ 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**

* **Notice of Motion and Motion to Change** (FA-4170V) 🡪 Original and 5 copies
* **Fee Waiver forms**, if you qualify 🡪 Original only (of both forms)
	+ **Petition for Waiver of Fees & Costs – Affidavit of Indigency** (CV-410A)
	+ **Order on Petition for Waiver of Fees & Costs** (CV-410B)

**SECTION A: Requesting a Fee Waiver**

*If you can’t afford the filing or 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).
* Take both ***notarized*** fee waiver AND proof of income / public assistance to **Room 609 (Chief Judge’s Office).**

**SECTION B: Filing the Motion and Getting a Hearing Date**

*Complete the following steps in order.*

* **Room 104 (Clerk of Court)**
	+ Show your approved Fee Waiver or pay the filing fee.
	+ Give all original documents and copies to the clerk.
* **Room 707 (Family Court Commissioner)**
	+ Take all remaining originals and copies to the calendar desk to get a hearing date. Make sure the hearing date is written on all copies.
* *If you are trying to change child support or arrears*, take a copy to **Room 101 (Child Support Services)**.
* **Serve the other parent with a copy of the motion** at least 5 business days before the hearing.
	+ If the other parent lives in Milwaukee County, we recommend serving through the **Milwaukee County Sheriff’s Department** (**Safety Building, Room 102)**
	+ If the other parent 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.
	+ ***FOR Child Support Motions only:*** You can send a copy through certified Mail with an Affidavit of Mailing (FA-4121V). Child Support Services can do this ($25) *if they have an address for the other party.*

**SECTION C: Attending Your Hearing**

* If you got the other parent **successfully served**, we recommend you make a copy for yourself to keep for the hearing and submit the original in **Room 707**.
* If you were **not able to get the other parent served**, contact the Milwaukee Justice Center right away for help discussing your options.
* **Attend your hearing.**
	+ 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. If you want in-person help, you can visit the Self-help Family Forms clinic at the MJC during our walk-in clinic hours (listed here: <https://www.milwaukeejusticecenter.org/services-hours-location.html>).
	+ **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>.