****MJC Remote Forms Clinic: Filing Instructions and Notes –**

**DIVORCE (OR LEGAL SEPARATION) BY PUBLICATION**

***Things to consider before you decide to publish:***

*Publication is a last resort and can only be used if you can show that you tried all available methods to serve your spouse with the “Part 1” divorce documents and they were all unsuccessful.* Make sure you have tried all of these methods first:

* Service through the **Sheriff and/or a private process server** in the County where your spouse lives (or where their last-known address is).
* Service through a **friend or family member** (or another adult 18 or older who is not a party in the case) who personally hands your spouse the documents and then signs an **Affidavit of Service** form in front of a notary
* Service by admission if **you personally hand your spouse the documents** and have them sign an **Admission of Service** form.

*Refer to our “Service Options: Name Change and Post-Judgment Cases” sheet for a more detailed list of the service options for your type of case.*

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| ***FORMS (& copies) YOU NEED:*** | ***COSTS/FEES:*** |
| ***Publication forms:**** *Publication Summons* (Original + 3 copies)
* *Publication Affidavit of Efforts to Serve Respondent* (Original only)
* *Publication Affidavit of Mailing* (Original only)
 | ***Publication Fee:**** $**150** or $**190**, depending on which newspaper you use (cannot be waived with a Fee Waiver)
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| ***PUBLICATION: General Process*** |
| 1. ***Get everything you need to file.*** All originals & copies must be single-sided. Bring your photo ID if you need to get documents notarized.
2. ***File the forms in person at the courthouse*** (901 N. 9th St, open Mon-Fri 8:30am-4:30pm)
* Room 104 🡪 File the documents. The clerk will give you copies of the stamped, filed Publication Summons.
1. ***Mail the Part 1 documents to your spouse’s last-known address*** *by regular mail and by certified mail.* You can do this at any post office branch.Ask for the green return receipt after sending by certified mail.
2. ***Publish in an approved newspaper.*** Once you receive your court date, you need to publish a copy of the “Notice and Order for Name Change” once a week for 3 consecutive weeks. Info on the two newspapers approved for publishing in Milwaukee County is as follows:
3. **The Milwaukee Community Journal** (3612 N. MLK Dr. / 414-265-5300 / **$150.00** publishing fee for all three weeks)
4. **The Daily Reporter** (225 E. Michigan St. #540 / 414-276-0273 / **$190.00** publishing fee for all three weeks)
5. ***Get started on “Part 2” of the process.*** To get a hearing date, you will need to complete and file a second set of paperwork before your dismissal date.
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| ***QUESTIONS?*** |
| * *Find the forms, directions, and how-to videos to answer your own questions:* [*https://www.milwaukeejusticecenter.org/howtovideos.html*](https://www.milwaukeejusticecenter.org/howtovideos.html)
* *Schedule an appointment with the Milwaukee Justice Center for help with documents, service questions, etc.: Call (414) 278-3965 or Email* *mjcdivorce@gmail.com**. (email recommended).*
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