**Divorce or Legal Separation by PUBLICATION**

**Milwaukee County**

**THINGS TO THINK ABOUT BEFORE YOU DECIDE TO PUBLISH:**

*Think of publication as a last resort: you should only consider publishing 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 (you will eventually need to sign a sworn affidavit stating everything you tried):*

* **Service through a Sheriff in the county where your spouse lives:** If the Sheriff is unsuccessful, they should send you an “***Affidavit/Proof of Non-Service***” or some other signed document explaining the failed attempts at service.
* **Service through a Private Process Server:** This is another good option, especially if you don’t have a specific address for your spouse or you think they are trying to avoid being served. Private service companies can often do more “digging” to find the other person. If they are unsuccessful, they should also send you “***Affidavit/Proof of Non-Service***” or some other signed document explaining the failed attempts at service.
* **Service through a friend or family member** (or another person 18 or older who is not a party in the case): If this person is able to hand your spouse the documents, they could sign an ***Affidavit of Service*** Form in front of a notary (if this is successful, you should not publish).
* **Service by admission**: If you are able to personally give your spouse the documents, you can have them sign an ***Admission of Service*** form (if this is successful, you should not publish).

*Refer to our “Service Options: Divorce Part 1” sheet for more information on service methods in your case.*

**The first day of publication must be within 90 days of the date you filed your Part 1 documents.**

**90-day Service deadline: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**You can request an Extension of Time to Serve (or publish) to ask the court for more time.**

**FILING AND SERVICE FEES**

* **No filing fee** for this step.
* **$150 or $190**: Publication Fee in Milwaukee County (can’t be waived with a Fee Waiver)
	+ **Fees vary by county** if you are trying to publish outside of Milwaukee County (can’t be waived with a Fee Waiver)

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

* **Publication Summons** (FA-4122V)🡪 Original and 3 copies
* **Publication Affidavit of Efforts to Serve Respondent** (FA-4184V) 🡪 Original only
* **Publication Affidavit of Mailing** (FA-4123V) 🡪 Original only

**SECTION A: FILING THE PUBLICATION SUMMONS**

*Complete the following steps in order.*

* **Room 104 (Clerk of Court)**
	+ File original Publication Summons and all copies with the cashier.
* **Mail a copy of the stamped/authenticated Publication Summons and copies of the ORIGINAL divorce Petition and Summons to your spouse’s last known address.** This must be done by regular mail AND certified mail.
	+ *Regular Mail*: Put the documents in an envelope and mail that envelope to the last-known address of your spouse. You can complete the “Publication Affidavit of Mailing” after you take this step.
	+ *Certified Mail (return receipt requested)*: This can be done at any post office branch. Save the green & white receipt.

**SECTION B: PUBLISHING IN THE NEWSPAPER**

* After you file the Publication Summons with the court, take a copy to an approved newspaper in the in the county (or last-known county) where your spouse lives. The newspaper must run the Publication Summons once a week for 3 consecutive weeks.
* In Milwaukee County, here are the two newspapers approved for publishing:

The newspaper will send you Proof of Publication in the mail after the last week of publication.

* **Get started on “Part 2” of the divorce paperwork.** To get a hearing date, you will need to complete and file a second set of paperwork before your dismissal date.
	+ ***If you want our help with the forms***: Contact the Milwaukee Justice Center to schedule a “Part 2” appointment. Call 414-278-3965 or email mjcdivorce@gmail.com (email recommended). We do not offer walk-in assistance with Part 2s; you must have a set appointment.
	+ ***If you want to complete the forms on your own****:* You can find the forms (and watch tutorial videos on how to complete them) at this website:<https://www.milwaukeejusticecenter.org/howtovideos.html>.
* ***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>.

**Daily Reporter**

225 E. Michigan St, #300

Milwaukee, WI 53202

(414) 225-1801

Email: publicnotices@dailyreporter.com

Cost: $202.50 (for all 3 weeks)

**Milwaukee Community Journal**

3612 N. Doctor M.L.K. Jr Dr

Milwaukee, WI 53212

(414) 265-5300

Cost: $150 (for all 3 weeks)