

DIVORCE / LEGAL SEPARATION CHECKLIST I:
FILING & SERVING SEPARATE PETITION WITH MINOR CHILDREN –
MILWAUKEE COUNTY

Fees: \$198.00 to file plus additional costs to serve. Filing and service fees MAY be waived with an approved fee waiver. \$17 for Divorce Packet (in Legal Resource Center).

1. Fill out Summons with Minor Children, Petition With Minor Children, and Confidential Petition Addendum.
2. *Do you need a Temporary Hearing?* If yes, complete the Order to Show Cause for Temporary Relief and the Affidavit for Temporary Relief with Minor Children (which **must** be signed in front of a notary public).
3. Fill out the Fee Waiver application if one is requested.
4. **Room G10-1 (Legal Resource Center)** – Make *5 copies* of all documents **except** the Confidential Petition Addendum (\$0.20 per page).
5. **Room 609 (Chief Judge’s Office)** – If requesting a fee waiver. You **must** bring with you a month’s worth of pay stubs or proof of public benefits (this can be obtained in the Legal Resource Center, Room G10-1.) The clerk in 609 will make a decision to approve or deny your request.
6. **Room 104** – Bring all copies of forms to file, pay filing fee, or show waiver form, and get a case number.
7. **Room 707** – Take all copies to the Calendar Desk of the Family Court Commissioner. You will get a **Notice and Order of Administrative Dismissal Date**, and a Requirement to Attend Parent Education Program. This is also where you will get a Temporary Hearing date if you requested one.
8. **Room 101** – If you or your spouse receive, or ever have received public assistance, a copy of the Summons and Petition (and Temporary Hearing documents, if applicable) must be served on the Department of Child Support Services.
9. **Serve the motion on the other party.** The other party must be served within 90 days of your initial filing. Your spouse must be served with the Summons and Petition, Order to Show Cause (if Temporary Hearing requested), Order of Administrative Dismissal Date and Requirement to Attend Parent Education.
 - a. Personal Service – Sheriff’s Department of county where other party lives. For Milwaukee County, go to **Safety Building – Room 102** – there is a skywalk on the first floor – \$60 flat fee for up to three attempts.
 - b. If your spouse is willing, he/she may also sign an **Admission of Service**.
 - c. **If service is attempted without success, come back to the Center as soon as possible to discuss publication.**

WE CAN HELP YOU WITH FILLING OUT THE PAPERS FOR THE SECOND STEP BY APPOINTMENT. When you have signed up for the Parent Education class, and received your Proof of Service, contact us by phone (278-2912), or in person (**Room G9**). Second step can take up to an hour to complete and may require a return visit. We do not recommend doing this through walk-in hours.

BRING COMPLETED FINANCIAL DISCLOSURE AND PROOF OF SERVICE TO APPOINTMENT.



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