

# **MODIFICATION MOTION CHECKLIST – MILWAUKEE COUNTY**

(Notice of Motion & Motion to Change)

## **FILING FEES (\$0, with an approved fee waiver)**

- \$30 - for child support/maintenance motions, **OR**
- \$50 - for custody/placement motions, **OR**
- \$50 - for combined support and custody/placement motion

## **SERVICE FEES (\$0, with an approved fee waiver)**

- \$60 - for personal service by the Milwaukee Sheriff, **OR**
- \$25 – for Child Support Services to serve *if they have other party's address*

## **FORMS & COPIES NEEDED**

- Notice of Motion & Motion to Change (*6 copies*)
- Petition for Waiver of Fees (if applicable)

## **HOW TO REQUEST A FEE WAIVER**

1. Fill out the Petition for Waiver of Fees.
  - Sign in front of a notary public (available in Room 104).
  - Bring last 30 days' pay stub(s) or current month's proof of public benefits.
2. **Room G-8-1 – Milwaukee County Law Library** – will assist in printing proof of FoodShare (Quest card does not qualify as proof).
3. **Room 609 – Chief Judge's Office** will approve or deny the Fee Waiver.

## **HOW TO FILE THE MOTION, SCHEDULE A COURT DATE, & SERVE PAPERS (required)**

1. **Room 104 – Clerk of Courts Office**
  - File documents with cashier
  - Pay filing fee or present approved fee waiver
2. **Room 707 – Family Court Commissioner**
  - Take the original motion and the copies here to get a court date.
3. **Room 101 – Child Support Services (if child support is involved in case)**
  - Drop off a copy to child support
  - The Child Support office is willing to serve a set of the papers to the other party if they have a known address on file. This is always recommended along with personal service.
4. **The other party must be served with the papers at least 5 business days before the hearing.**
  - Room 102, Safety Building – Sheriff's Department: if the other party lives in Milwaukee County, or, private process server
  - If the other party does not live in Milwaukee County, contact the Sheriff's Department in that county or a private process server to arrange service
  - You may also send the motion through Certified Mail, Return Receipt Requested and complete and Affidavit of Mailing.

## **ATTENDING YOUR COURT DATE (arrive early, dress nicely, act respectfully)**

- **Bring proof that the documents have been served to the other party.**
- You should also bring proof to support your case
  - Pay stubs/ Proof of income
  - Proof child is residing with you (school & medical records, lease agreement, etc)
  - Any other information related to your motion
- *Do not bring children to your hearing!* Children are not allowed in the hearing room, nor to be left unattended in the waiting area. Your hearing *may be adjourned* if children are present!



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