

# RESPONSE & COUNTERCLAIM TO A DIVORCE/LEGAL SEPARATION— MILWAUKEE COUNTY

## FILING FEES

- \$0

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

- \$60 - for personal service by Milwaukee County Sheriff

## FORMS AND COPIES NEEDED

- Response and Counterclaim (*4 copies*)
- Are there disagreements on children, automobiles, bills, housing, etc? Do you need a court order to help resolve that?
  - If yes, complete the Order to Show Cause for Temporary Relief and the Affidavit for Temporary Relief with/without Minor Children (*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 proof of a month's worth of income or 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 (if needed), & SERVE PAPERS (required)

### 1. Judge's Courtroom: \_\_\_\_\_

- File paperwork with clerk
2. If Temporary Order hearing requested:
    - a. **Room 707- Family Court Commissioner**
      - File paperwork with Clerk to receive a court date.
    - b. **Room 101- Child Support Services**
      - Drop off copy with Child Support Services
    - c. The other party *must be personally served* within 5 business days of 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
  3. If NO Temporary Hearing requested:
    - Mail a copy of the **Response & Counterclaim Certified Mail, Return Receipt Requested** to your spouse.
    - Complete an Affidavit of Mailing

