

How do I have my case moved from Eau Claire County to my current County of Residence?

If you wish to modify or enforce a court order from your Eau Claire County case and you have primary placement of the child(ren) at issue, you should **first** contact your current Wisconsin county of residence to find out if they accept filings without moving your entire case to that county per WI Statute 767.281. If the receiving county does accept filings per WI Statute 767.281 you must follow their instructions for proper filing procedures.

If the receiving county **does not** accept filings per WI Statute 767.281, then you will need to do the following:

Complete Notice of Motion and Motion for Change of Venue form GF-122 in Eau Claire County to request a venue change from the Eau Claire County courts.

Call the Family Court Commissioner's Judicial Assistant at 715-839-6029 to obtain a date and time for hearing, and write this information where designated on form GF-122, including the Court Official (Family Court Commissioner) and location of hearing (by Zoom).

Complete all other sections (pages 1-2) of GF-122.

Make 2 copies of the document and attachments, if any. 3 copies are needed if Child Support is a party to the case.

Bring Original and copies to Clerk of Courts along with the \$30 filing fee. The Clerk will do the following:

1. Receipt your filing fee.
2. File stamp all copies, keep one, and hand back the other copies to you (one for your records, and the others for service on the other party and Child Support if provided).

You must have these documents served on the other party, and file Proof of Service document with the Clerk of Courts as soon as possible.

Attend hearing.

If the change of venue is granted, you will be required to provide Eau Claire County Clerk of Courts with a payment for the transmittal fee of \$15, and a payment to the receiving county for the filing fee of \$95 (or \$105, if there is a request for child support or maintenance). This payment can be made by check or money order to the receiving county and we will then forward to the receiving county, or can be made directly to the receiving county per their payment instructions.

For further information see Wisconsin Statutes: <http://docs.legis.wisconsin.gov/statutes/prefaces/toc>

Court staff may not provide legal advice or recommend a specific course of action for an individual. (Supreme Court Rule 70.41)

All numbered forms referenced can be found at www.wicourts.gov under forms → circuit court → family → view all family forms

See the Clerk of Courts website for further information at: <http://www.co.eau-claire.wi.us/departments/departments-a-k/clerk-of-courts>

Enter the name of the county in which the original case was filed.	STATE OF WISCONSIN, CIRCUIT COURT, EAU CLAIRE COUNTY	Notice of Motion and Motion for Change of Venue
Enter the name, address and daytime phone number of the petitioner/plaintiff from the original case file.	Petitioner/ Plaintiff: <hr/> Name (First, Middle and Last) <hr/> Current Mailing Address <hr/> City State Zip Daytime Phone Number - VS -	
On the far right, enter the case number.	Respondent/ Defendant: <hr/> Name (First, Middle and Last) <hr/> Current Mailing Address <hr/> City State Zip Daytime Phone Number	

Case No. _____

NOTICE OF MOTION

You are notified that at the following date and time:

For Court Use Only: This section will be completed by the court.	NOTICE OF HEARING		
	Date	Time	Location (Include Room Number)
	Court Official Wendy Sue Johnson, Court Commissioner		Hearing will be by Zoom. See attached for remote appearance information. Any questions, call 715-839-4816 Option #2
Enter the name of the county you are asking venue to be changed to.	I will be asking the court to change the venue of this case to _____ County, Wisconsin. <i>If you object to this motion, you need to appear and say so. Otherwise, the court may proceed without you and grant the request.</i>		

MOTION

Enter the name of the county you are asking venue to be changed to.

1. I request that the court change venue of this case to _____ County, Wisconsin. The basis for this request is:

Check the appropriate box explaining why venue should be changed.

this county is not a proper county for trial or any further proceedings because (please explain):

no party in this case remains in this county.

The petitioner now resides in _____ County, _____

The respondent now resides in _____ County, _____

Any children involved in this action now reside:

changing venue is in the interest of justice (please explain):

changing venue would be more convenient for the parties or witnesses (please explain): _____

2. I understand that I must provide a copy of this Notice of Motion and Motion to all other parties in this case, including to the child support agency if this is a family case and the child support agency is a party.

If you require reasonable accommodations due to a disability to participate in the court process, please call: 715-839-4816 prior to the scheduled court date. Please note that the court does not provide transportation.

Sign and print your name, address, email address, and telephone number.

Enter the date on which you signed your name.

NOTE: This signature does not need to be notarized.

Signature

Name Printed or Typed

Address

Email Address Telephone Number

Date State Bar No (if any)

A copy of this Notice of Motion and Motion must be served upon all other parties at least 5 (five) business days before the date of the hearing. If service is by mail, it must be mailed at least 8 (eight) business days before the date of the hearing.