

FILING FOR DIVORCE WITH CHILDREN - Separately

(Filing Fee = \$194.50)

We strongly suggest that you follow the checklist below one step at a time and do not work ahead. Keep this checklist with your papers until your divorce is final.

PROCEDURE CHECKLIST

- ☐ **Complete** Summons (FA-4104) and Petition (FA-4108)
- ☐ **Complete** Confidential Petition Addendum (GF-179)
- ☐ **Complete** Divorce/Annulment Worksheet leaving the Decree Information area blank
- ☐ **Complete** Order to Attend Parenting Program by writing party names on lines for Party A and Party B (the clerk will complete the rest of the form when you file)
- ☐ **Make 2 copies** of all pages of the above documents
- ☐ **Bring** the Original and 2 copies to the Clerk of Courts office for filing during regular business hours along with \$194.50 filing fee in cash, check or money order payable to Clerk of Courts, or debit/credit card (**additional fee required for credit/debit card payments**). (You party must complete form CV-410A Petition for Waiver of Fees and Costs if requesting waiver of filing fee. Upon the court approving the fee waiver, clerk will either mail to party or contact party to return to the Clerks office to pickup paperwork.)
 - Once payment is made or waiver is approved, the Clerk will open a case, file stamp all three copies of each form, keep a copy, and return the original and one copy to you (one for service and one for your records).
- ☐ **Have papers served** on the opposing party
 - You are required to have the other party personally served with these papers along with a blank Financial Disclosure form FA-4139 and to **file a Proof of Service** document with the Clerk of Courts as soon as possible. See Personal Service on forms FA5000-FA5005 and FA4118-FA4120 for your service options and requirements.
 - The divorce process can be completed after a minimum of 120 days has passed. The waiting period begins upon service of the Summons and Petition on the other party.
- ☐ **File** Financial Disclosure (FA-4139) within 90 days or prior to a Temporary Order Hearing (Wisconsin Statutes require each party to file a Financial Disclosure Statement (FA-4139) within 90-days of service of the Summons and Petition. Be sure to include the required attachments as indicated on the form under #1).
 - Bring the Original and **2 copies** of the completed form FA-4139 to the Clerk of Court for filing.
 - The clerk will check for completion and signatures and file stamp all copies returning the original and one copy to you.
 - You must provide the other party with the file-stamped copy and retain the original for your records
- ☐ **Decide** if you need Temporary Orders

The parties may desire Temporary Orders in place at any point in the process until the divorce/legal separation is granted for such matters as:

 - Maintenance (spousal support)
 - Whether one of the parties should be ordered out of the home
 - Who should have the use (not ownership) of certain property (such as bank accounts and vehicles)
 - Who should make various payments on debts (such as mortgage payment)
 - If there are minor children involved, and you cannot agree on child support, custody, and placement
- ☐ **No I do not need Temporary Orders** – skip over to
“*Together you must complete a Marital Settlement Agreement” on page 2

☐ **Yes I do need Temporary Orders**

If the parties DO NOT agree on temporary orders, you will need to complete an Order to Show Cause and Affidavit for Temporary Orders (FA-4128VA & FA-4128VB). A packet with instructions is available on the self-help tower in Clerk of Court Lobby.

If the Parties DO agree on temporary orders, you will need to complete a Stipulation for Temporary Order. With Minor Children (FA-4126VA & FA-4126VB). A packet with instructions is available on the self-help tower in the Clerk of Court Lobby.

☐ ***Together you must complete a Marital Settlement Agreement (FA-4150)**

☐ If there is a current child support order in this or another Eau Claire County case, you **must** obtain the approval of the Child Support Agency where indicated on the form below your signatures. To obtain this, please bring the completed, signed Marital Settlement Agreement to the child support agency with a self-addressed stamped envelope before proceeding. Once returned by CSA, proceed.

☐ **Make 2 copies** of this completed form (FA-4150)

☐ **Bring** this to the Clerk of Court for filing. The clerk will check for completion and signatures and file stamp all 3 copies returning the original and one copy to you. You must provide the other party with the file-stamped copy and retain the original for your records. Both parties should bring their copy to the final hearing.

☐ **Watch your mail for communication from the Court Commissioner's Office**

- Your **Marital Settlement Agreement** will be reviewed for completion by the Court Commissioner's assistant and then the Court Commissioner.
 - If not approved, a letter will be sent to the parties from the Court Commissioner indicating what needs to be corrected. Make the corrections indicated in the letter, make copies and file as indicated above.
 - If approved, your Stipulated Divorce Hearing will be scheduled, and a Notice of Hearing will be sent to the parties directing you to complete a Findings of Fact, Conclusions of Law, and Judgment of Divorce.
- **No hearing shall be held prior to the expiration of the 120-day waiting period**

☐ **Complete** a Findings of Fact, Conclusions of Law, and Judgment of Divorce (FA-4160VA) entering the court date on page one where indicated.

☐ **Bring** this to the Clerk of Court for filing **as soon as possible**. Any delay may result in your hearing being cancelled. The clerk will check for completion and accept for filing.

☐ **Attend** your Final Divorce Hearing

- Wisconsin law requires both parties appear for the final divorce hearing.
- If one party cannot appear due to a move out of state or work requirements, etc., that party may request to appear by telephone by contacting the court's judicial assistant at least two weeks prior to the final hearing at 715-839-6029.
- Alternatively, if one party chooses not to or cannot appear at the final hearing and has signed ALL of the required forms, he/she may waive their appearance by requesting a WAIVER OF APPEARANCE form from the Clerk of Court Office. This form must contain the date of the final hearing, must be signed before a Notary Public, and must be filed at least two weeks prior to the final hearing.

☐ **Upon completion of the final hearing, each party will be mailed a signed, file-stamped copy of The Findings of Fact, Conclusions of Law, and Judgment of Divorce document FA-4160. If the Court has granted you the right to resume a former surname, you may pay for a certified copy in the clerk of courts office and the document we send you will be certified.**

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>

This form is available in Spanish.

<https://www.wicourts.gov/forms1/circuit/index.htm>

Este formulario está disponible en español.

Enter the name of the county in which you are filing this case.	STATE OF WISCONSIN, CIRCUIT COURT, EAU CLAIRE COUNTY
Enter your name (you are the petitioner).	IN RE: THE MARRIAGE OF Petitioner _____ Name (First, Middle and Last)
Enter your address.	_____ Address
On the far right, check divorce or legal separation.	_____ Address
Enter your spouse's name (your spouse is the respondent).	City _____ State _____ Zip _____ and Respondent
Enter your spouse's address.	_____ Name (First, Middle and Last)
Note: Leave case number blank; the clerk will add this.	_____ Address
	_____ Address
	City _____ State _____ Zip _____

Summons With Minor Children

- ☐ Divorce - 40101
☐ Legal Separation- 40201

Case No. _____

- ☐ One or both parties require the services of an interpreter. Which party? _____
Which language? _____ Complete and file the Interpreter Request ([GF-149](#)) form.

The State of Wisconsin, to the person named above as respondent:

You are notified that your spouse has filed a lawsuit or other legal action against you. The **Petition**, which is attached, states the nature and basis of the legal action.

Within 20 days of receiving this **Summons**, you must provide a written response, as that term is used in ch. 802, Wis. Stats., to the **Petition**. The court may reject or disregard a response that does not follow the requirements of the statutes.

The response must be sent or delivered to the following government offices:

Clerk of Court

Enter the name and address of the 2 identified government offices.

Name of county Eau Claire
Address 721 Oxford Avenue
Address Suite 2220
City, State and Zip Eau Claire, WI 54703

DO NOT leave these lines blank. You must obtain these addresses and fill them in, or your Summons will be incomplete and will harm your case.

County Child Support Agency

Name of agency Eau Claire County CSA
Address 721 Oxford Avenue
Address _____
City, State and Zip Eau Claire, WI 54703

This information may be available in the local phone book under listings for the county or from your local Clerk of Court's office.

The response must also be mailed or delivered within 20 days to the petitioner at the address above.

It is recommended, but not required, that you have an attorney help or represent you.

If you do not provide a proper response within 20 days, the court may grant judgment against you, and you may lose your right to object to anything that is or may be incorrect in the **Petition**.

A judgment may be enforced as provided by law. A judgment may become a lien against any real estate you own now or in the future, and may also be enforced by garnishment or seizure of property.

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.

Enter the date on which you signed your name.

Note: This signature does not need to be notarized.

Signature

Print or Type Name

Address

Email Address

Telephone Number

Date

State Bar No. (if any)

****IMPORTANT NOTICES****

You are notified of the availability of information from the Family Court Commissioner as set forth in §767.105, Wis. Stats.

§767.105 Information from Family Court Commissioner.

- (2) Upon the request of a party to an action affecting the family, including a revision of judgment or order under §767.59 or §767.451:
- (a) The Family Court Commissioner shall, with or without charge, provide the party with written information on the following, as appropriate to the action commenced:
 - 1. The procedure for obtaining a judgment or order in the action.
 - 2. The major issues usually addressed in such an action.
 - 3. Community resources and family court counseling services available to assist the parties.
 - 4. The procedure for setting, modifying, and enforcing child support awards, or modifying and enforcing legal custody or physical placement judgments or orders.
 - (b) The Family Court Commissioner shall provide a party, for inspection or purchase, with a copy of the statutory provisions in this chapter generally pertinent to the action.

You are notified that if the parties to the action have minor children, violation of the following criminal statute is punishable by fines and/or imprisonment as set forth in §948.31 Wis. Stats.

§948.31 Interference with custody by parent or others.

- (1) (a) In this subsection, "legal custodian of a child" means:
- 1. A parent or other person having legal custody of the child under an order or judgment in an action for divorce, legal separation, annulment, child custody, paternity, guardianship or habeas corpus.
 - 2. The department of children and families or the department of corrections or any person, county department under §§46.215, 46.22 or 46.23 or licensed child welfare agency, if custody or supervision of the child has been transferred under chapter 48 or chapter 938 to that department, person or agency.
- (b) Except as provided under chs. 48 and 938, whoever intentionally causes a child to leave, takes a child away, or withholds a child for more than 12 hours beyond the court-approved period of physical placement or visitation period from a legal custodian with intent to deprive the custodian of his or her custody rights without the consent of the custodian is guilty of a Class F felony. This paragraph is not applicable if the court has entered an order authorizing the person to so take or withhold the child. The fact that joint legal custody has been awarded to both parents by a court does not preclude a court from finding that one parent has committed a violation of this paragraph.
- (2) Whoever causes a child to leave, takes a child away or withholds a child for more than 12 hours from the child's parents, or in the case of a nonmarital child whose parents do not subsequently intermarry under §767.803, from the child's mother, or if he has been granted legal custody, the child's father, without the consent of the parents, the

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- mother or the father with legal custody, is guilty of a Class I felony. This subsection is not applicable if legal custody has been granted by court order to the person taking or withholding the child.
- (3) Any parent, or any person acting pursuant to directions from the parent, who does any of the following is guilty of a Class F felony:
- (a) Intentionally hides a child from the child's other parent.
 - (b) After being served with process in an action affecting the family but prior to the issuance of a temporary or final order determining child custody rights, takes the child or causes the child to leave with intent to deprive the other parent of physical custody as defined in §822.02(9).
 - (c) After issuance of a temporary or final order specifying joint legal custody rights and periods of physical placement, takes a child from or causes a child to leave the other parent in violation of the order or withholds a child for more than 12 hours beyond the court-approved period of physical placement or visitation period.
- (4) (a) It is an affirmative defense to prosecution for violation of this section if the action:
- 1. Is taken by a parent or by a person authorized by a parent to protect his or her child in a situation in which the parent or authorized person reasonably believes that there is a threat of physical harm or sexual assault to the child;
 - 2. Is taken by a parent fleeing in a situation in which the parent reasonably believes that there is a threat of physical harm or sexual assault to himself or herself;
 - 3. Is consented to by the other parent or any other person or agency having legal custody of the child; or
 - 4. Is otherwise authorized by law.
- (b) A defendant who raises an affirmative defense has the burden of proving the defense by a preponderance of the evidence.
- (5) The venue of an action under this section is prescribed in §971.19(8).
- (6) In addition to any other penalties provided for violation of this section, a court may order a violator to pay restitution, regardless of whether the violator is placed on probation under §973.09, to provide reimbursement for any reasonable expenses incurred by any person or any governmental entity in locating and returning the child. Any such amounts paid by the violator shall be paid to the person or governmental entity which incurred the expense on a prorated basis. Upon the application of any interested party, the court shall hold an evidentiary hearing to determine the amount of reasonable expenses.

Enter the name of the county in which you are filing this case.	STATE OF WISCONSIN, CIRCUIT COURT, EAU CLAIRE COUNTY	
Enter your name (you are the petitioner).	IN RE: THE MARRIAGE OF Petitioner	
Enter your address.	Name (First, Middle and Last)	
On the far right, check divorce or legal separation.	Address	
	Address	
	City	State Zip
	and	
Enter the respondent's name (the other party is the respondent).	Respondent	
Enter the respondent's address.	Name (First, Middle and Last)	
	Address	
	Address	
	City	State Zip

☐ Amended
Petition With Minor Children
☐ **Divorce** - 40101
☐ **Legal Separation** - 40201
Case No. _____

☐ One or both parties require the services of an interpreter. Which party? _____
Which language? _____ Complete and file the Interpreter Request ([GF-149](#)) form.

In A.1, enter your date of birth [month, day, year].

For 2, 3, 4, and 5 check yes or no.

For 4, check yes or no.

For 5, check yes or no.

In B.1, enter respondent's date of birth [month, day, year].

For 2, 3, 4, and 5, check yes or no.

I am the petitioner in this action.

A. I am providing the following information about **myself**:

1. Date of birth _____.
2. Immediately before filing this petition, I will have lived in this county for 30 days or more.
☐ **Yes** ☐ **No**
3. Immediately before filing this petition, I will have lived in the state of Wisconsin for 6 months or more.
☐ **Yes** ☐ **No**
4. I am currently on active duty as a member of the Armed Forces of the United States of America or its allies.
☐ **Yes** ☐ **No**
5. I am currently pregnant.
☐ **Yes** ☐ **No**

B. I am providing the following information about the **respondent**:

1. Date of birth _____.
2. Immediately before filing this petition, the respondent will have lived in this county for 30 days or more.
☐ **Yes** ☐ **No**
3. Immediately before filing this petition, the respondent will have lived in the state of Wisconsin for 6 months or more.
☐ **Yes** ☐ **No**
4. The respondent is currently on active duty as a member of the Armed Forces of the United States of America or its allies.
☐ **Yes** ☐ **No**

For 5, check yes or no.

In C.1 and 2, enter the date [month, day, year], city, and state in which you were married.

In 4, check a or b. If b, enter the county and state in which it was filed, the case number assigned to it, and check yes or no to indicate if the case has been dismissed.

In 5, check yes or no. If no, respond to 5a-5d with information about your most recent previous marriage.

If you had an additional previous marriage, respond to 5e-5h.

In 6, check yes or no. If no, respond to 6a-6d with information about the respondent's most recent previous marriage, if known.

If the respondent had an additional previous marriage, respond to 6e-6h.

In D.1, enter the name and date of birth [month, day, year] for each **minor** child. If there are no other

5. The respondent is currently pregnant.

☐ Yes ☐ No

C. I am providing the following marriage information:

1. The respondent and I were married on [Date] _____.

2. We were married in [City] _____ [State] _____.

3. I am filing for

☐ a. **Divorce.** This marriage is irretrievably broken.

☐ b. **Legal Separation.** This marriage is broken and the reason I am requesting a legal separation and not a divorce is _____.

4. **Previous Actions**

This is the first time that either party have filed for divorce or legal separation **from each other** in Wisconsin or in any other state:

☐ a. **Yes**

☐ b. **No:** County _____
State _____
Case No. _____

Has this case been dismissed? ☐ Yes ☐ No

5. This is my first marriage. ☐ Yes ☐ No

a. I was previously married to _____

b. The marriage was terminated by ☐ **divorce.** ☐ **death.**

c. Date of the divorce or death _____.

d. The divorce was granted in:

Name of court _____

City _____ State _____

e. I was also previously married to _____.

f. The marriage was terminated by ☐ **divorce.** ☐ **death.**

g. Date of the divorce or death _____.

h. The divorce was granted in:

Name of court _____

City _____ State _____

If you had more than 2 previous marriages, repeat 5e-5h on an additional sheet.

6. This is the respondent's first marriage. ☐ Yes ☐ No

a. The respondent was previously married to _____.

b. The marriage was terminated by ☐ **divorce.** ☐ **death.**

c. Date of the divorce or death _____.

d. The divorce was granted in:

Name of court _____

City _____ State _____

e. The respondent was also previously married to _____.

f. The marriage was terminated by: ☐ **divorce.** ☐ **death.**

g. Date of the divorce or death _____.

h. The divorce was granted in

Name of court _____

City _____ State _____

If the respondent had more than 2 previous marriages, repeat 6e-6h on an additional sheet.

D. I am providing the following information regarding children:

1. **Minor Children that we have together**

a. The **minor** children (age 17 or younger) of me and the respondent (born or adopted) before or during our marriage are

☐ b. None.

kids, check None.

In 2, enter the name and date of birth [month, day, year] for each **adult** child.

If you and the respondent do not have adult children together, check None.

In 3, enter the name and date of birth [month, day, year] for each **other** child and indicate the parent. If you and the respondent do not have other children, check None.

Check if paternity has been established.

In 4, check yes or no.

In 5, enter the current address for the minor children.

In 6, enter any previous addresses for the minor children living **with the parents** during the past 5 years. If none check "none."

In 7, check yes or no. If the children have lived in more than 2 places over the past 5 years, provide those addresses on an additional sheet. If yes, enter the name of that minor child and the name and address of the person with whom

Name of Minor Child	Date of Birth

2. **Adult Children that we have together**

- a. The **adult** children (age 18 or older) of me and the respondent (born or adopted) before or during our marriage are

☐ b. None.

Name of Adult Child	Date of Birth

3. **Other Children**

- a. **Other** children born or adopted during this marriage by either party.

☐ b. None.

Name of Child	Date of Birth	Parent

Has paternity been established?

☐ No ☐ Yes, County _____ Case No.: _____

4. Have the minor children lived in Wisconsin 6 months or more with at least one of the parents? ☐ Yes ☐ No

5. The current address of the minor child(ren) is/are

Address _____

Address _____

City _____ State _____ Zip _____

6. Previous addresses for the minor child(ren) is/are

☐ None (the children have lived at the current address for the last five years).

Address _____

Address _____

City _____ State _____ Zip _____

Address _____

Address _____

City _____ State _____ Zip _____

7. Currently, or during the last 5 years, one or more of the minor children lived with a person other than a parent.

☐ Yes ☐ No

Child _____

Person _____

Address _____

Address _____

City, State, Zip _____

Child _____

Person _____

that child lived.

Attach an additional sheet, if necessary.

In 8, check a or b.

If a, enter the name of the court in which it was ordered, the case number assigned to it, and date it was ordered.

In 9, check a or b.

If a, enter the name of the court, the case number assigned to it, and the nature of the proceeding.

In 10, check a or b. If a, attach a copy of written agreement.

Address _____
Address _____
City, State, Zip _____

Child _____
Person _____
Address _____
Address _____
City, State, Zip _____

8. I personally have been (or I am aware of others who have been) a party, witness or participated in another way in other past court proceedings concerning the paternity, custody of or physical placement or visitation with the minor children listed in **D1** or **D3**, in Wisconsin or in any other state.
- ☐ a. **Yes** and the paternity, custody, physical placement, or visitation order was granted in:
- Name of court _____
Case Number _____ Date _____
- ☐ b. **No.**
9. I am aware of a proceeding that could affect the current proceeding, including proceedings for enforcement and proceedings related to domestic violence, protective orders, termination of parental rights, or adoption concerning the children listed in **D1** or **D3**, in Wisconsin or any other state.
- ☐ a. **Yes**, and the proceeding that could affect the current proceeding is in:
- Name of court _____
Case Number _____
Nature of Proceeding _____
- ☐ b. **No.**
10. The respondent and I have made written agreements or received orders from the court about some or all of the matters in this action such as maintenance (spousal support), child support, legal custody or physical placement of the minor children, or property division.
- ☐ a. **Yes, and I have attached a copy of the written agreement to this Petition.**
- ☐ b. **No**

I ASK THE COURT TO GRANT A JUDGMENT AS REQUESTED AND ENTER OTHER ORDERS AS IT DEEMS JUST AND REASONABLE.

ACTS PROHIBITED BY STATUTE

Neither party to this divorce or legal separation action can participate in any of the following activities while this action is pending:

1. Harassing, intimidating, physically abusing or imposing any restraint on the personal liberty of the other party or a minor child of either of the parties.
2. Encumbering, concealing, damaging, destroying, transferring, or in any other way disposing of property owned by either or both of the parties, without the consent of the other party or an order of the court, except in the usual course of business, in order to secure necessities or in order to pay reasonable costs and expenses of the action, including attorney fees.
3. Relocating and establishing a residence with a minor child of the parties more than 100 miles from the residence of the other party without the consent of the other party or an order of the court.
4. Removing a minor child of the parties from the state of Wisconsin for more than 90 consecutive days without the consent of the other party or an order of the court.
5. Concealing a minor child of the parties from the other party without the consent of the other party or an order of the court.

A VIOLATION OF THE ABOVE PROHIBITIONS MAY RESULT IN PUNISHMENT FOR CONTEMPT, WHICH MAY INCLUDE MONETARY PENALTIES, IMPRISONMENT, AND OTHER SANCTIONS AS PROVIDED FOR IN §785.04, WIS. STATS.

A violation of paragraphs 3, 4, or 5 above is not a contempt of court if the court finds that the action was taken to protect a party or a minor child of the parties from physical abuse by the other party and that there was no reasonable opportunity under the circumstances for the party to obtain an order authorizing the action.

These PROHIBITIONS apply until the action is dismissed, a final judgment in the action is entered, or the court orders otherwise.

Sign this document WITHOUT a Notary Public.

Provide a declaration under criminal penalty of false swearing in lieu of a sworn statement.

You **do not** have to take the document to a Notary Public if you provide an unsworn declaration.

I declare under the criminal penalty of false swearing that the information I have provided is true and accurate.

Signature

Name Printed or Typed

Address

Email Address

Telephone Number

Date

State Bar No. (if any)

**Wisconsin Department of Children and Families
Child Support Standard**

Authority and Purpose

§49.22(9), Wis. Stats. requires the Department to adopt and publish a standard, based upon a designated percentage of the gross income and assets of either or both parents, to be used by courts in determining child support obligations. Chapter DCF 150 of the Wisconsin Administrative Code establishes Wisconsin's child support standard. It is based upon the principle that the child's standard of living should, to the degree possible, be the same as if the child's parents were living together.

Chapter DCF 150 defines the income upon which the support obligation is based, and sets the designated percentages of income for computing the support obligation based upon a number of children. It also explains optional procedures for adjusting the obligation when the parents share placement, when the parent has an obligation to support another family, or when the payer has particularly high or low income.

Applicability

The designated percentage applies to any temporary and final order for child support, including child support stipulations agreed to by both parents and modifications of existing child support orders.

Definition of Income and Assets

Chapter DCF 150 defines gross income as income from any source, whether or not it is reported or taxed under federal law. The income can be in the form of money, property, or services. Public assistance or child support received from previous marriages or business expenses, which the court determines are reasonably necessary for the production of income or operation of a business are subtracted, and wages paid to dependent household member are added to determine "gross income available for child support."

The court may also determine that income may be "imputed" (assumed at a given level) based on earning capacity and/or assets, and that imputed income is added to the gross income for the calculation of the support obligation.

THE STANDARD CHILD SUPPORT CALCULATION

The percentages are:	17% for one child
	25% for two children
	29% for three children
	31% for four children
	34% for five or more children

Wisconsin Statutes require temporary and final support orders to be expressed as fixed sum in most situations.

For further details, refer to Chapter DCF 150 of the Wisconsin Administrative Code and Wisconsin Statute 767 Actions Affecting the Family. (Choose "Wisconsin Law" on <http://www.legis.state.wi.us>)

**Statutory Factors Courts May Consider In Determining Child Support Awards for
Paternity, Divorce, or Legal Separation**

§767.511, Child Support.

(1 m) Upon request by a party, the court may modify the amount of child support payments determined under §767.511 (1j) if, after considering the following factors, the court finds by the greater weight of the credible evidence that use of the percentage standard is unfair to the child or to any of the parties:

- (a) The financial resources of the child.
- (b) The financial resources of both parents.
- (bj) Maintenance received by either party.
- (bp) The needs of each party in order to support himself or herself at a level equal to or greater than that established under 42 USC 9902 (2).
- (bz) The needs of any person, other than the child, whom either party is legally obligated to support
- (c) If the parties were married, the standard of living the child would have enjoyed had the marriage not ended in annulment, divorce or legal separation.
- (d) The desirability that the custodian remain in the home as a full-time parent.
- (e) The cost of day care if the custodian works outside the home, or the value of custodial services performed by the custodian if the custodian remains in the home.
- (ej) The award of substantial periods of physical placement to both parents.
- (em) Extraordinary travel expenses incurred in exercising the right to periods of physical placement under §767.41.
- (f) The physical, mental and emotional health needs of the child, including any costs for health Insurance as provided for under sub. (4m).
- (g) The child's educational needs.
- (h) The tax consequences to each party.
- (hm) The best interests of the child.
- (hs) The earning capacity of each parent, based on each parent's education, training and work experience and the availability of work in or near the parent's community.
- (i) Any other factors which the court in each case determines are relevant.

Petitioner/Joint Petitioner A: _____
Respondent/Joint Petitioner B: _____

Enter the name of the county in which this case is filed.

**STATE OF WISCONSIN, CIRCUIT COURT,
EAU CLAIRE _____ COUNTY**

This form is used for family and paternity case types. Some information may not apply to your case.

Petitioner/Joint Petitioner A:

Name (First, Middle and Last) _____

Respondent/Joint Petitioner B:

Name (First, Middle and Last) _____

Case No. _____

IV-D KIDS Case No. _____

Enter the case number and child support IV-D KIDS number, if known.

Confidential Petition Addendum

1. Parties

- A. Petitioner/Joint Petitioner A/Alleged Parent: _____
Date of Birth: _____ SS#: _____ Phone No. _____
- B. Respondent/Joint Petitioner B/Alleged Parent: _____
Date of Birth: _____ SS#: _____ Phone No. _____
- C. Other party: (If any) _____
Date of Birth: _____ SS#: _____ Phone No. _____

☐ See attached

2. Minor Child(ren) that we have together

- A. The minor child(ren) of the other party and me (born or adopted) before or during the marriage/relationship are:

☐ None

Name of Minor Child	Date of Birth	SS#

☐ See attached

B. Other Minor Child(ren)

If this is a divorce or legal separation, list **other** minor child(ren) born to either party during this marriage, but not fathered by the other party:

☐ None

Name of Minor Child	Date of Birth	SS#	Parent

☐ See attached

The party(s) filing this addendum must sign and print your name and date the document.

Signature

Name Printed or Typed

Address

Email Address Telephone Number

Date State Bar No. (if any)

Signature

Name Printed or Typed

Address

Email Address Telephone Number

Date State Bar No. (if any)

DIVORCE / ANNULMENT WORKSHEET

CANNOT BE USED AS PROOF OF DIVORCE

The maximum penalty for providing false information used to create a vital record is one thousand dollars (\$1,000) or ninety (90) days in jail or both, per Wis. Stats. § 69.24.

The Clerk of Court is responsible for filing an accurate and complete Divorce / Annulment Worksheet with the State Vital Records Office for every divorce or annulment finalized in that court per Wis. Stats. §§ 69.08 and 69.17.

PARTY A			
1. CURRENT NAME: First	Middle	Last	Suffix
2. BIRTH NAME: First	Middle	Last	Suffix
3. DATE OF BIRTH (MM/DD/YYYY)	4. RESIDENCE - COUNTRY/STATE	5. RESIDENCE - COUNTY	6. SOCIAL SECURITY NUMBER

PARTY B			
7. CURRENT NAME: First	Middle	Last	Suffix
8. BIRTH NAME: First	Middle	Last	Suffix
9. DATE OF BIRTH (MM/DD/YYYY)	10. RESIDENCE - COUNTRY/STATE	11. RESIDENCE - COUNTY	12. SOCIAL SECURITY NUMBER

MARRIAGE INFORMATION	
13. MARRIAGE - DATE (MM/DD/YYYY)	14. MARRIAGE - COUNTRY/STATE

DECREE INFORMATION			
15. DATE OF DECREE (MM/DD/YYYY)	16. TYPE OF DECREE <input type="checkbox"/> Divorce <input type="checkbox"/> Annulment	17. COURT CASE NUMBER	18. COUNTY OF DECREE

I certify that this document reflects the facts concerning the dissolution of the marriage of the above named parties.	
19. CLERK OF COURT/DEPUTY SIGNATURE	20. DATE SIGNED (MM/DD/YYYY)

DIVORCE / ANNULMENT WORKSHEET
INSTRUCTIONS FOR COMPLETING THE DIVORCE / ANNULMENT WORKSHEET

Sections for Party A, Party B, and Marriage Information must be completed by either the parties themselves or their attorney. Section for Decree Information must be completed and signed by the Clerk of Court or Deputy. The Clerk of Court must file the worksheet with the State Vital Records Office.

PARTY A

1. **CURRENT NAME - FIRST, MIDDLE, LAST, SUFFIX** - Enter the current first name, middle name, and last name of Party A. Enter a suffix (Jr, Sr, etc.), if applicable.
2. **BIRTH NAME - FIRST, MIDDLE, LAST, SUFFIX** - Enter the birth first name, middle name, and last name of Party A. Enter a suffix (Jr, Sr, etc.), if applicable.
3. **DATE OF BIRTH (MM/DD/YYYY)** - Enter the exact month, day, and year Party A was born.
4. **RESIDENCE - COUNTRY/STATE** - Enter the name of the state of residence of Party A, if residing in the United States. If residing outside of the United States, enter the geographic location of the country of residence.
5. **RESIDENCE - COUNTY** - Enter the name of the county of residence of Party A, if residing in the United States. If residing outside of the United States, leave this field blank.
6. **SOCIAL SECURITY NUMBER** - Enter Party A's social security number. This number is kept confidential and will not appear on the divorce certificate. Enter all 9s if Party A does not have a social security number.

PARTY B

7. **CURRENT NAME - FIRST, MIDDLE, LAST, SUFFIX** - Enter the current first name, middle name, and last name of Party B. Enter a suffix (Jr, Sr, etc.), if applicable.
8. **BIRTH NAME - FIRST, MIDDLE, LAST, SUFFIX** - Enter the birth first name, middle name, and last name of Party B. Enter a suffix (Jr, Sr, etc.), if applicable.
9. **DATE OF BIRTH (MM/DD/YYYY)** - Enter the exact month, day, and year Party B was born.
10. **RESIDENCE - COUNTRY/STATE** - Enter the name of the state of residence of Party B, if residing in the United States. If residing outside of the United States, enter the geographic location of the country of residence.
11. **RESIDENCE - COUNTY** - Enter the name of the county of residence of Party B, if residing in the United States. If residing outside of the United States, leave this field blank.
12. **SOCIAL SECURITY NUMBER** - Enter Party B's social security number. This number is kept confidential and will not appear on the divorce certificate. Enter all 9s if Party B does not have a social security number.

MARRIAGE INFORMATION

13. **DATE OF MARRIAGE (MM/DD/YYYY)** - Enter the exact month, day, and year the marriage occurred.
14. **MARRIAGE - COUNTRY/STATE** - Enter the name of the state where the marriage occurred, if the marriage occurred in the United States. If the marriage occurred outside of the United States, enter the country where the marriage occurred.

DECREE INFORMATION (This section to be completed by the Clerk of Court.)

15. **DATE OF DECREE (MM/DD/YYYY)** - Enter the exact month, day, and year the divorce/annulment was granted.
16. **TYPE OF DECREE** - Check the appropriate box for the type of decree issued.
17. **COURT CASE NUMBER** - Enter the court case number assigned to the decree.
18. **COUNTY OF DECREE** - Enter the name of the county in which the decree was granted.
19. **CLERK OF COURT/DEPUTY SIGNATURE** - The Clerk of Court or Deputy must sign.
20. **DATE SIGNED (MM/DD/YYYY)** - Enter the exact month, day, and year the Clerk of Court signs the certificate.

STATE OF WISCONSIN

CIRCUIT COURT

EAU CLAIRE COUNTY

In re the marriage of:

Joint Petitioner A/Petitioner,
and

ORDER TO ATTEND FAMILIES
IN TRANSITION PROGRAM

Joint Petitioner B/Respondent

Case No.

The Court, pursuant to Wisconsin Statute §767.401 hereby ORDERS both parents in the above entitled action to attend a program through *TRY Mediation, Inc. entitled "Families in Transition: Children in the Middle" concerning the effects on a child of a dissolution of marriage and/or training in parenting and co-parenting skills.

It is further ordered that attendance at said program shall be completed within 120 days of the date of this Order and each party shall be responsible for paying the costs associated with the program.

A certificate of attendance at said program shall be filed by the parties with the Clerk of Court Office upon completion of the program.

Copies:

Joint Petitioner A/Petitioner

Joint Petitioner B/Respondent

* For your information:

Please contact TRY Mediation, Inc. at 715-839-6295 to make a reservation for the Families in Transition Program, which is held virtually. The cost of the class is \$60 per parent. For a class schedule as well as details about the program, please visit the TRY Mediation website at <https://www.co.eau-claire.wi.us/our-government/departments-and-facilities/departments-directory/try-mediation-inc/families-in-transition>.