


	Ozaukee County Clerk of Circuit Court	
	Filing <u>Separately</u> for Divorce or Legal Separation <u>Without</u> Minor Children	Revised: April 11, 2023 Page 1 of 3

NOTICE: This guideline is provided as a public service and is not intended to be legal advice. If you have any questions about forms or procedures, please contact an attorney, as staff members cannot give legal advice.

TO OPEN: Divorce or Legal Separations are opened by filing the forms listed below with the Ozaukee County Clerk of Circuit Court office. You can file your forms in person, by mail or by [electronic filing](#). Forms can be found online at www.wicourts.gov.

FILING FEES: A filing fee is required at time of filing. If you plan to pay with a credit or debit card, there will be a 4% fee added. The filing fees are as follows:

\$184.50 *without* request for maintenance

\$194.50 *with* request for maintenance


***If you are unable to pay the filing fee,
you can file the below forms to see if the court will waive it***

Form Number	Name of Form
CV-410A	Petition for Waiver of Fees and Costs Affidavit of Indigency
CV-410B	Order on Petition for Waiver of Fees and Costs

TO OPEN A DIVORCE/LEGAL SEPARATION CASE, please file the following:

Form Number	Name of Form
FA-4105V	Summons Without Minor Children
FA-4109V	Petition Without Minor Children
GF-179	Confidential Petition Addendum

(Go to the next page to review optional forms and additional information)

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OPTIONAL FORMS:

Form Number	Name of Form	Summary
FA-4127VA / FA-4127VB	Stipulation for Temporary Order without Minor Children / Temporary Order without Minor Children	Used if parties wish to have temporary orders set while the case is pending and they DO agree on the issues
FA-4129VA / FA-4129VB	Affidavit to Show Cause and Request for Hearing for Temporary Order without Minor Children / Order to Show Cause without Minor Children	Used if parties wish to have temporary orders set while the case is pending and they DO NOT agree on the issues

The ProSe Facilitator will review your case 60 days after the date of filing and set a review to go over the status of the case with you. You will receive a notice of hearing for the review, please read it closely. If you have any questions please contact the ProSe Facilitator at:

Sarah Preisler
sarah.preisler@wicourts.gov
Phone: 262-284/238-8412
Fax: 262-284/238-8491

(Go to the next page to review a procedure checklist)

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CHECKLIST

All documents referenced below must be filed before a stipulated divorce hearing (final hearing) will be scheduled. A stipulated divorce hearing will not be held prior to the expiration of the 120-day waiting period.

- Serve** the Summons, Petition, Confidential Petition Addendum, and any additional forms that were filed, on the respondent – refer to Service Instruction Packet ([FA-5000V](#)) and [local rules](#)
- File** proof of service for the above documents. The 120-day waiting period does not start until the other party is served and proof is filed with the court.
- Together complete** and file a Marital Settlement Agreement ([FA-4151V](#))
- Complete** and file Financial Disclosure Statements ([FA-4139V](#)) - each party to complete
- File** a Legal Description of Property, if applicable
 - If you and/or your spouse own any real estate, a full and complete legal description must be filed. A legal description can be obtained from the Register of Deeds office from the county the property is located in.
- Schedule** your Stipulated Divorce Hearing/Legal Separation Hearing
 - When all above referenced forms are filed, the clerk will schedule a stipulated divorce hearing. You will receive a notice of hearing with the date, time and how to appear.
- Attend** your Stipulated Divorce Hearing/Legal Separation Hearing
 - Have all documents that have been filed with the court with you for the hearing.

OZAUKEE COUNTY FAMILY LAW ASSISTANCE CENTER

The Family Law Assistance Center is available every Wednesday - 11:30 a.m. to 12:30 p.m. to provide assistance for Family and Paternity cases.

The Assistance Center is located in Room 204 of the Ozaukee County Justice Center.

The attorneys at the Assistance Center cannot give legal advice. They are available to provide information and the following type of assistance:

1. Information about the process, such as:
 - How to file a case or request a hearing
 - How to serve the other parties on the case
 - Courtroom procedures
2. What type of information needs to be provided on the forms.
3. Referral to the State Bar Lawyer Referral and Information Service for individuals who want to obtain legal advice or speak with an attorney about their case.

Note: Forms and instructions will be provided free of charge at the Family Law Assistance Center, however there may still be filing fees or service fees to commence a court action.

Forms and instructions are available online at www.wicourts.gov under **forms/circuit court/family**.

Volunteers cannot do the following:

- **Provide legal advice** or recommend a specific course of action
- Apply the law to the facts of a given case, or give directions regarding how an individual should respond or behave in any aspect of the legal process
- Recommend whether to file a petition or other pleadings
- Recommend phrasing for or specific content of pleadings
- Fill in a form, unless required by the Americans with Disabilities Law
- Recommend specific individuals against whom to file a petition or other pleadings
- Recommend specific type of claims or type of argument to assert in pleadings or at trial
- Recommend what type or amount of damages to seek or the specific individuals from whom to seek damages
- Recommend specific questions to ask a witness or litigant
- Recommend specific techniques for present evidence in pleadings or at trial
- Recommend which objections to raise regarding an opponent's pleadings or motion at a trial or when and how to raise such objections
- Recommend when or whether an individual should request or oppose an adjournment
- Recommend when or whether an individual should settle a dispute
- Recommend whether an individual should appeal a decision of the court
- Interpret the meaning or implications of statutes or appellate court decisions as they may apply to an individual case
- Perform legal research