

FAMILY WEBSITE DIRECTIONS

The following are directions to get to the Family self representation section of the wicourts website.

www.wicourts.gov

Select “services”

Select and click on “for the public”

Click on “Self-help law center”

Click on “Divorce and family law”

Review the overview of divorce and family law information on this page

When finished, if you wish to proceed, click on “[Go to new case forms assistant](#)”

Read through this introduction page carefully

Once you are comfortable with the introduction page, you can navigate to the next series of screens by clicking on “Next” at the bottom of the screen.

On the first “Next” screen, be sure to review the “Choosing the county” information before proceeding. This page also contains a “Basic Guide to Divorce in Wisconsin”, you are highly encouraged to download and save or print this Basic Guide.

When reviewing this Basic Guide to Divorce/Legal Separation, you will have detailed step-by-step directions, a flow chart, and information to guide you through a Divorce or Legal Separation action. This can answer numerous questions you may have. Again, we encourage you to print this document. It will be useful in getting you through the court process over the course of your case.

If you choose to review a complete listing of Family Forms on your own without answering the online interview questions:

www.wicourts.gov

Select “Forms”; “Circuit Court”

Select “Family”

Select “all family forms”

If you wish to electronically file your prepared documents:

For an overview of the eFiling system, go to: <https://www.wicourts.gov/ecourts/efilecircuit/index.jsp>

To register for an account and to eFile, go to: <https://logon.wicourts.gov/index.html?target=efiling>

If you are **not** filing your action electronically, after preparing your original, make a copy for each party. If there are minor children, or if spousal support is requested, make an additional copy. The filing fee is \$194.50 if there are minor children, or if spousal support is requested. Otherwise, the filing fee is \$184.50. Bring the original and all copies, along with your payment by cash, check or money order (payable to “Clerk of Courts”) to the Clerk of Courts office, 415 Jackson Street, Oshkosh WI –Room 110. There may be a wait in line before working with a clerk. Once you are with a clerk, the process can take 30 to 45 minutes.

Other resources are available through www.wicourts.gov home page:

Select “services”

Select and click on “for the public”

From here, you can click on specific topics you may be interested in

Otherwise, click on “[self-help law center](#)”

You will be able to select specific topics here as well, including a link to the Wisconsin State Law Library website

Here are resources for any additional legal questions you may have:

1. On-line, at the Wisconsin State Law Library website at: www.wilawlibrary.gov and reviewing their “Legal Topics A-Z” area.
2. The free Legal Assistance Clinic at the Public Library on the first Tuesday of the month in Menasha, the second Tuesday in Neenah & the third Tuesday of the month in Oshkosh from 4:30 pm – 6:30 pm. Please ask the Clerk of Courts Office for a brochure of the complete listing of schedule and locations.

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10 Basic Steps for Getting a Divorce or Legal Separation

Even though each county may do things a little differently, or call various hearings by different names, there is a basic structure to how a divorce or legal separation will proceed in Wisconsin.

1. **Decide How You Will File.** You need to decide if you and your spouse will be signing the Petition together (filing jointly) or if only one of you will be completing the forms to start the action (filing alone).

2. **Decide If You Need a Temporary Hearing.** You may request a temporary hearing before the Family Court Commissioner by completing an Order to Show Cause and Affidavit for Temporary Order if you and your spouse cannot agree on any of the following issues:

Child Custody	Use of automobiles or other personal property
Child Placement	Payment of bills
Child Support	Payment of maintenance or spousal support
Use of the family residence	

3. **File the Action.** The summons and petition (or joint petition) for divorce or legal separation and confidential petition addendum must be filed and a fee paid to the Clerk of Circuit Court. (Note: There is a mandatory 120-day waiting period before the court can hear the final hearing.)

4. **Deliver (or serve) copies of the documents to those who must receive them.** In order for the court to hear the case, your spouse must be provided with copies of the summons, petition, confidential petition addendum, and proposed parenting plan and proof of that service must be filed with the Clerk of Circuit Court.

5. **Obtain a Temporary Order (if needed).**

If you completed the Order To Show Cause and Affidavit for Temporary Order you must attend the Temporary Hearing you requested to have a temporary order issued.

If you and your spouse reach an agreement, you can complete and file a Stipulation for Temporary Order.

If you and your spouse don't believe it is necessary to have a formal temporary order, you may ignore this step at this time. If the situation changes before the final hearing, either spouse may seek a temporary order.

6. **If there are minor children, complete any required parenting programs and file any required Parenting Plans.**

Some counties may require the parents to complete programs concerning the effects of divorce on children as a condition to obtaining a divorce.

7. **Obtain a date and time for the next hearing.** In some counties the court automatically schedules the next hearing.

In other counties you may have to contact the court to schedule the next hearing. This next hearing, depending on the county, may be the final hearing.

8. **Complete your paperwork for the final hearing:**

- Marital Settlement Agreement (if you and your spouse can agree on everything) or a Proposed Marital Settlement (if you don't agree).
- Financial Disclosure Statements
- Findings of Fact, Conclusions of Law, and Judgment of Divorce
- Vital Statistics Form (from the Clerk of Circuit Court office)

9. **Attend your final hearing.** Arrive early, be prepared, bring your paperwork, and be polite.

10. **Complete any other documents required after the final hearing.** Sign car titles and real estate deeds, complete documents to divide pension plans (QDRO), change beneficiaries on life insurance policies, revise your will, and other matters when appropriate.

This is an excerpt from the Basic Guide to Divorce/Legal Separation. For the complete detailed guide for Winnebago County, see the directions on the reverse side. By following the option on the reverse side, it will allow you to continue on to answer online interview questions which can fill in on your forms. Or, you can choose to just print the guide by going to www.co.winnebago.wi.us/clerk-courts, select "Family" in the left hand column and then select the link for "Basic Guide to Divorce/Legal Separation Winnebago County".