

## Checklist for Contested Divorce-Dane County

- Obtain “Summons and Petition for Divorce” and “Confidential Petition Addendum” (forms available at Legal Resource Center (LRC) Rm. L1007 in the Dane County Courthouse or online at: <http://www.countyofdane.com/court/prepare/formFamily.aspx>). DO NOT write Social Security numbers on the Summons & Petition. Social Security numbers must be placed on the Confidential Petition Addendum form.
- Optional** - If a temporary order hearing is necessary, obtain an “Order to Show Cause for Temporary Order” form.
- File the **original and three copies** of the Summons and Petition for Divorce (1 for you and 2 for service on your spouse) and pay the filing fee in the Clerk of Courts (COC) Rm 1000, Dane County Courthouse. Only the original Confidential Petition Addendum is required.
  - Optional**-If you feel you cannot pay the filing fee, you may apply for a “Petition for Waiver of Filing and Service Fees” at the Court Commissioner Center (CCC) Rm 2000 (form available at LRC, CCC, COC or online).
- Optional** -File original and three copies of Order to Show Cause for Temporary Order with the CCC if hearing is needed.
- Serve the Summons and Petition and, if applicable, Order to Show for Temporary Order, on the other party (respondent). The Dane County Sheriff’s Civil Process Unit or a private process server (see yellow pages) will serve legal documents for a fee. If your spouse will admit to receiving the forms from you, obtain an “Admission of Service” form (available at LRC or online) for your spouse to sign.
- Return the original Proof of Service received from the process server, or the Admission of Service, to the CCC or COC. Retain one copy for yourself.
- Optional**-Attend temporary order hearing if one is requested. Bring a completed “Financial Disclosure Statement” to your hearing (form available at LRC or online).
- Complete a “Marital Settlement Agreement” **OR** file a “Request for Status Conference” to have a pretrial hearing before a court commissioner if there is not a total agreement on all divorce issues after you have tried to settle the issue.
- File the original Marital Settlement Agreement or Request for Status Conference with the CCC. (Each party should retain a copy). If you are filing for a status conference you must serve a copy on the other party by mail.
- File the “Original Certificate of Divorce or Annulment” form (Vital Statistics form) with the CCC (form available from COC, CCC, or LRC).

### YOU CANNOT GET A FINAL HEARING DATE UNTIL ALL ABOVE ITEMS ARE COMPLETED

After these steps are completed, the CCC will complete the “Certificate of Readiness for Trial” form. The CCC will send it to the judge so the divorce hearing may be scheduled.

- Complete the Financial Disclosure Statement (form available from LRC or online).
- Attend divorce trial. The judge’s office will send you notice of a trial date after a Certificate of Readiness has been received. Bring your completed Financial Disclosure Statement and Proof of Service of the Order for Appearance (if applicable) to the trial. Be prepared to present your case.
- After the divorce hearing, prepare the “Findings of Fact, Conclusions of Law and Judgment” (FFCLJ) form, make three copies and submit to the judge for signature (form available at LRC or online). A copy of your completed Marital Settlement Agreement should be attached to the original and each of the three copies of the FFCLJ.
  - \*\*If the final judgment is not filed within 30 days, as required under Wis. Stats. 767.251, the judge may initiate an Order to Show Cause for contempt hearing against the attorney/party responsible for preparing and filing the documents. The judge may impose appropriate sanctions.

Legal Resource Center (LRC): Rm L1007, 266-6316, [dclrc.ref@wicourts.gov](mailto:dclrc.ref@wicourts.gov)  
Court Commissioner Center (CCC): Rm 2000  
Clerk of Courts (COC): Rm 1000, 266-4311

Dane County Courthouse  
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Madison, WI 53703