

SAUK COUNTY

Checklist for NON-JOINT DIVORCE or LEGAL SEPARATION

WITH CHILDREN

(Obtain the State forms at <https://www.wicourts.gov> > forms > Circuit Court > Family
Or you may purchase packet at Clerk of Court Office for \$10.00)

A packet includes the following forms:

1. Summons with minor children (Form [FA-4104V](#))
2. Petition with minor children (Form [FA-4108V](#))
3. Confidential Petition Addendum (Form [GF-179](#))
4. Two blank Financial Disclosure Statement forms: (Form [FA-4139V](#))
5. Marital Settlement Agreement with minor children (Form [FA-4150V](#))

STEP 1: Complete these forms:

- Summons with minor children (Form [FA-4104V](#))
- Petition with minor children (Form [FA-4108V](#))
- Confidential Petition Addendum (Form [GF-179](#))

NOTE: ONLY if you need an immediate temporary order from the Court for issues of maintenance, child support, or property and debt division, see Information Sheet for Order to Show Cause for Temporary Order

STEP 2: File forms:

- Bring the original and two copies of forms in STEP 1, and filing fee, to Clerk of Court.
 - (Original) for Clerk of Courts, (1) For Filer and (1) For your spouse.
 - Filing Fee: \$194.50

STEP 3: You must serve a copy of the above documents and one blank Financial Disclosure Statement on the other party and file proof of service with the Clerk of Court. A Service information Packet may be obtained at the Clerk of Court's Office (Form [FA-5000V](#)) or see back of this sheet.

STEP 4: After the divorce/legal separation is filed and served, complete, sign and file the following forms:

- Financial Disclosure Statement with attachments: (Form [FA-4139V](#))
 - Each party must complete, and gives copy to other party.
- Marital Settlement Agreement with minor children (Form [FA-4150V](#))
 - If in agreement on all issues, parties may file one Marital Settlement Agreement (check box for Full Agreement)
 - If not in agreement, each party must file their Proposed Marital Settlement Agreement (check box for Proposed by One Party), and provide copy to other party.

** The Child Support Basis or 'standard' on Page 7 **MUST** be filled out, even if child support is not requested. Calculation tools can be found at: <https://dcf.wisconsin.gov/cs/order/tools> ([Child Support Tools](#)). Complete either the "worksheet" or 'calculator to estimate support' and transfer those amounts to Page 7. 2(a).

STEP 5: Each parent is required to complete a Parenting Education class and file proof with Clerk of Court.

Scheduling:

- **After the Petition and Proof of Service is filed a status conference will be scheduled.**
- **If benefits are open or being received, the Sauk County Child Support Agency (CSA) will need to review the Marital Settlement Agreement, meet with parties, and CSA will file a child support Addendum.**
- **A final hearing will not be set until all documents are filed, and reviewed by the Family Court Commissioner. After filing all documents, call the Family Court Commissioner Office at 608-355-3246 to request review.**
- **The final hearing date will take place after expiration of the 120 day waiting period.**

Service: The other party must be personally served by one of the following ways:

1. Admission of Service for the other party.

You may give the documents to the other party and ask that he/she voluntarily accept the papers from you. If the other party agrees to accept the documents, you need to:

- Complete the caption of the Admission of Service form [FA-4119V](#)
- Have him/her complete form with date and which forms received, and sign the bottom
- File the Admission of Service form as soon as possible with the Clerk of Courts. Keep a copy for your records.

If the other party will not voluntarily accept the papers from you, or you do not wish to have contact with the other party, you must have the other party served using one of the other methods described below.

2. Sheriff's Department.

The Sheriff's Department of the County in which the individual to be served resides may serve the other party. Proof of service must be filed with the Clerk of Court as soon as possible. Keep a copy for your records.

3. Private Process Server.

You may make arrangements with a private process server to have the other party personally served. Contact individual companies for fees and procedural information. Proof of service will be sent to you, which you must file with the Clerk of Court as soon as possible.