

## Checklist for Contested Divorce-Dane County

- Obtain “Summons and Petition for Divorce” and “Confidential Petition Addendum” - forms available at Dane County Law Library (DCLL) Rm L1007 in the Dane County Courthouse or online at: <https://courts.countyofdane.com/Resources/Forms/family-forms>. Social Security numbers must be placed on the Confidential Petition Addendum form, **not the Summons and Petition**.
- Optional** - If a temporary order hearing is necessary, obtain the “Order to Show Cause and Affidavit for Temporary Order” forms.
- File the **original and three photocopies** of the Summons and Petition for Divorce and Confidential Petition Addendum and pay the filing fee in the Clerk of Courts (COC) Rm 1000, Dane County Courthouse.  
**Optional** – If you feel you cannot pay the filing fee, you may apply for a “Petition for Waiver of Filing and Service Fees” in Rm 1000 (form available at DCLL, CCC, COC, or online). **If you ask for a waiver, do so before paying any fees, not after.**
- Optional** -File original and three photocopies of the Order to Show Cause and Affidavit for Temporary Order with the CCC, if a hearing is needed.
- If your case involves minor children, complete an “Application for Child Support Services” (form available at DCLL, CCC, or online). This form should be completed even if child support is not being requested. The completed application should be submitted to the CCC in Room 2000 of the Dane County Courthouse.
- Serve the Summons and Petition and, if applicable, Order to Show Cause and Affidavit for Temporary Order, on the other party (respondent). The Dane County Sheriff’s Civil Process Unit or a private process server 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 DCLL or online) for your spouse to sign.
- Return a copy of the Proof of Service received from the process server, or the Admission of Service, to the CCC or COC. Retain the original document for yourself.
- Optional** - Attend temporary order hearing, if one is requested. Bring the original and a copy of your completed “Financial Disclosure Statement” to your hearing (form available at DCLL or online).
- Complete a jointly-signed “Marital Settlement Agreement” with your spouse, and file a copy with the CCC. Each party should retain a photocopy, with one person also retaining the original. If parties are unable to come to a full agreement, each party should complete their own Marital Settlement Agreement form and mark the “Proposed by One Party” boxes on the form. File a copy with the CCC, serve a copy on the other party by mail, and retain the original for your records.
- Optional** - File a “Request for Status Conference” in the CCC 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**. You must serve a copy on the other party by mail.
- Each party must complete and file a Financial Disclosure Statement with the CCC (form available from LRC or online). You must provide the other party a copy of your Financial Disclosure Statement. Retain the original for your records.

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

After these steps are completed, the CCC will complete a “Case Status Memo” form or schedule the final hearing. The court will send you notice of the hearing date. After you receive the Notice of Hearing for your final divorce hearing:

- Prepare the “Findings of Fact, Conclusions of Law and Judgment” (FFCLJ) form (form available at DCLL or online), and submit it to the court for signature at your hearing, or at least 5 days prior to your hearing if it is being conducted remotely. A photocopy of your completed, filed Marital Settlement Agreement should be attached to the FFCLJ.
- Prepare the “Divorce/Annulment Worksheet” (Vital Statistics form). Submit this to the Judge’s Clerk or the Court Commissioner at your final hearing, or at least 5 days prior to your hearing if it is being conducted remotely. NOTE: This form is not needed on legal separation cases. This form is available at the Dane County Courthouse (DCLL, CCC, COC) and online.
- If not previously submitted, bring the original and a copy of your completed Financial Disclosure Statement and Proof of Service of the Order for Appearance (if applicable) to the hearing.
- Attend the divorce hearing. Be prepared to present your case.