

**DANE COUNTY INSTRUCTIONS FOR SERVICE BY PUBLICATION FOR
DIVORCE, LEGAL SEPARATION, OR ANNULMENT ACTIONS**

These forms are only to be used if, after reasonable diligence, the respondent cannot be served personally. “Reasonable diligence” may include contacting the respondent’s relatives or friends for a current address and evidence of failed attempts at personal service. See WI Statute § 801.11(1)(c) for more information.

Please review all instructions carefully.

Publication Summons (FA-4122V)

Fill out the **Publication Summons**. Once this form is completed *make three (3) copies*. File the **Publication Summons** with the Court Commissioner Center (Dane County Courthouse, Room 2000). The court will retain a copy and return the original and two authenticated copies to you. The original is for you to keep, one copy is to be mailed to the other party (respondent), and one copy is to be sent to the newspaper if it is not submitted electronically.

If the respondent’s last known place of residence was in Dane County:

Email an electronic copy, photo, or scan of the authenticated **Publication Summons** (FA-4122V) to the *Wisconsin State Journal*: legals@madison.com

You must include your current name, phone number, and full mailing address in the email.

Upon receipt of the **Publication Summons** (FA-4122V) the *Wisconsin State Journal* will send you a proof to review and the publication rate. There is no flat publication rate. The rate is dependent on how many words, how many lines, and the number of times an item needs to be run. The notice will run as a class 3 notice and run for three weeks (pursuant to WI Statute § 801.11(1)(c)).

The *Wisconsin State Journal* can receive payments by credit card or check but prefers that you call and make a credit card payment over the phone. **Payment is required prior to publication.**

The **Proof of Publication Affidavit** will be mailed out to the full mailing address you provided approximately 7-10 days after the last run date. **Make one (1) copy** of the **Proof of Publication Affidavit** and file it with the Court Commissioner Center (Dane County Courthouse, Room 2000). Retain the original copy for yourself.

You may be eligible for a fee waiver for court filing fees. When approved by the court the *Wisconsin State Journal* also accepts the Order on Petition for Waiver of Fees and Costs (CV-410B) and waives publication fees. If you are requesting that publication fees be waived include an electronic copy, photo, or scan of your court-approved Order on Petition for Waiver of Fees and Costs with your email. The instructions and forms for the Waiver of Fees and Costs can be found on the Dane County Courts website and are also available at the Dane County Law Library (Dane County Courthouse, Room L1007).

If the respondent’s last known place of residence IS NOT in Dane County you must have it published in a newspaper qualified to provide legal notices in the geographic location which is likely to notify the respondent. Instructions for submitting legal notices to other newspapers will differ from those above.

Publication Affidavit of Mailing (FA-4123V)

You **MUST** mail a copy of the authenticated **Publication Summons** (FA-4122V) **and** an authenticated copy of your **Summons With Minor Children** (FA-4104V)/**Petition With Minor Children** (FA-4108V) **OR** the **Summons Without Minor Children** (FA-4105V)/**Petition Without Minor Children** (FA-4109V) to the *last known address* of the other party (respondent).

Fill out the **Publication Affidavit of Mailing** form. Sign and date the affidavit in front of a Notary Public for the State of Wisconsin. Court Commissioner Center staff (Dane County Courthouse, Room 2000) may witness your signature to satisfy the notary requirement if you provide valid photo ID when signing in their presence. Once completed *make one (1) copy*. Take or send a copy to the Court Commissioner Center (Dane County Courthouse, Room 2000). Retain the original for yourself.

Affidavit of Efforts to Locate Absent Respondent

Fill out the **Affidavit of Efforts to Locate Absent Respondent** form. Be sure to check all the efforts you have made to locate and to notify the respondent of this court action prior to publication. You may be asked to provide evidence of your actions (receipts, returned mail, etc.). Sign and date the affidavit in front of a Notary Public for the State of Wisconsin. Court Commissioner Center staff (Dane County Courthouse, Room 2000) may witness your signature to satisfy the notary requirement if you provide valid photo ID when signing in their presence. Once notarized *make one (1) additional copy*. Take or send a copy to the Court Commissioner Center (Dane County Courthouse, Room 2000) and retain the original for yourself.