

NOTICE OF HEARING AND MOTION TO ENFORCE PHYSICAL PLACEMENT ORDER INSTRUCTIONS

The purpose of this form is to allow a parent who has been awarded periods of physical placement to seek enforcement of a physical placement order.

STEP 1: STUDY THESE INSTRUCTIONS & FILL OUT THE NOTICE OF HEARING AND MOTION TO ENFORCE PHYSICAL PLACEMENT ORDER FORM

Type or print neatly. Read the instructions in the left margin of the form when completing it. Make sure to have your signature notarized.

STEP 2: MAKE PHOTOCOPIES

Make 3 photocopies of the motion, the associated physical placement court order, and any other attachments you may wish to submit. There is a public photocopier in the Dane County Law Library (Rm L1007) for \$.25 per copy.

STEP 3: OBTAIN A COURT DATE

Take the original completed form and the additional 3 photocopies to the Court Commissioner Center, Room 2000, Dane County Courthouse, to obtain the date, time and place of the hearing. There is no filing fee due to the Court for this court action, but you will need to hire the Sheriff's Department or a personal process server to accomplish service.

STEP 4: SERVE THE FORM

The other party must be personally served. If the other party had an attorney at the last hearing, you must also mail a copy of the form to the attorney.

A. By Sheriff

If the other party lives in Dane County, you may have the Notice of Hearing and Motion to Enforce Physical Placement Order form served on the other party by the Civil Process Division of the Dane County Sheriff's Department, Room 2002, Public Safety Building, 115 W. Doty Street, Madison, WI 53703. The Sheriff will need two copies of the form you filed in STEP 3. There is a \$40 charge for every service or attempted service, plus round-trip mileage that the deputy travels. There will be no fee if you qualify for a fee waiver. You can obtain the Petition for Waiver of Filing and Service Fees at the Court Commissioner Center, Room 2000, Dane County Courthouse. Once the Sheriff has served the form, you will be sent Proof of Service. **Bring the original and a copy of the Proof of Service to the hearing, or submit it beforehand.**

If the party lives outside Dane County, call the Sheriff in the county where that person resides for instructions on serving the papers.

B. By Private Process Server

You may use a private process server to serve the Notice of Hearing and Motion to Enforce Physical Placement Order on the other party. To locate a private process server, you may do an internet query of local process servers. Once the forms have been served, you will be sent a Proof of Service. **Bring the original and a copy of the Proof of Service to the hearing, or submit it beforehand.**

STEP 5: ATTEND THE HEARING

At the hearing, the commissioner or judge must have the "Proof of Service" form from the Sheriff's Department or private process server. If you do not have this document, the hearing will not proceed. Present your case to the Court. You should have an original and a copy of any written document you wish the Court to look at in support of your case.