

**INSTRUCTIONS FOR FINDINGS OF FACT,
CONCLUSIONS OF LAW AND JUDGMENT OF LEGAL SEPARATION
(NO MINOR CHILDREN)**

Within 30 days of the legal separation trial, one of the parties must prepare the document entitled “Findings of Fact, Conclusions of Law and Judgment of Legal Separation” for the judge’s signature. Usually the party who started the legal separation is responsible for preparing this document. If the parties were joint petitioners, they can prepare the Findings together or decide which party will prepare the Findings. The attached form is to be used in preparing the Findings of Fact, Conclusions of Law and Judgment of Legal Separation in cases where there are no minor children.

Read and fill out the form. Type or print neatly. Please review carefully the following instructions. The numbers on the instructions below correspond to the numbers on the form.

CAPTION

Print the names of the parties as they appear on other documents. Fill in the case number and the branch where your legal separation was granted.

SECTION LABELED “TRIAL”

Print the judge’s name after “Honorable”.

Fill in the date of the legal separation trial.

After “Appearances”, list the names of the parties who appeared at the trial. If both you and your spouse were there, then list both of your names.

SECTION LABELED “FINDINGS OF FACT AND CONCLUSIONS OF LAW”

2. Fill in the information requested as to the wife.
3. Fill in the information requested as to the husband.
4. Fill in the date on which you were married and the place (city, county, state) where you were married.
5. Circle the option that indicates the grounds for the legal separation.
6. If another action for divorce, legal separation or annulment affecting this marriage was commenced earlier, state in the space provided who filed the case, in what county and when.
7. If either of you was previously married to someone else, state in the space provided which party was previously married, to whom and the date the marriage ended.
8. If the wife is pregnant, cross off the word “not”.

9. If any of the parties' financial forms were not updated on the record or marked as exhibits at the time of trial, explain in the space provided.
10. If you did not have a Marital Settlement Agreement, cross out Number 10 and state in the space provided what the judge ordered. If you had a Marital Settlement Agreement, included here any changes (amendments) made by the judge and what the judge ordered concerning property division and debts. Be as specific as you can as to what the judge ordered. Please add additional pages if necessary. If the judge made his or her decision in writing, you may attach the judge's decision to the form.
11. If neither of you was awarded maintenance, check the box indicating that maintenance was denied. If one of you was awarded maintenance, check the second box and include the amount of maintenance to be paid, which party is to pay it and which party is to receive it. Circle either "per month" or "biweekly" to indicate how often maintenance is to be paid. After the word "commencing", indicate when the payments are to begin.
12. If the judge ordered that arrears for maintenance as of the date of trial are to be set in the amount reflected on the records of the Wisconsin Support Collection Trust Fund, check the first box. If the judge found that the arrears were at a different amount, check the second box and fill in the amount after the "\$" sign. If there are no arrears, check the third box.
13. If there are arrears, explain how they will be paid in the space provided.

SECTION LABELED "JUDGMENT OF LEGAL SEPARATION"

20. Print the names of the parties in the spaces provided.
21. If you did not have a Marital Settlement Agreement, cross out Number 21 and state in the space provided what the judge ordered. If you had a Marital Settlement Agreement, included here any changes (amendments) made by the judge and what the judge ordered concerning property division and debts. Be as specific as you can as to what the judge ordered. Please add additional pages if necessary. If the judge made his or her decision in writing, you may attach the judge's decision to the form.

If the judge requires your signature, sign on the bottom of the last page of the form.

After you prepare the Findings of Fact, Conclusions of Law and Judgment of Legal Separation, send the original and three copies to the judge who granted your legal separation.

At the same time you send the documents to the judge, send a copy to your spouse.

After the judge holds the documents for five days to see if the other side objects to anything stated in them, the judge will sign the Findings and send a copy to each party.

In re the marriage of:

Joint Petitioner/Petitioner,

and

Joint Petitioner/Respondent.

**FINDINGS OF FACT,
CONCLUSIONS OF LAW, AND
JUDGMENT OF LEGAL
SEPARATION
(no minor children)**

Case No. _____

TRIAL

Presiding: Honorable Gerald W. Laabs
Place: Jackson County Courthouse
307 Main Street
Black River Falls, WI 54615

Date: _____

Appearances:

Joint Petitioner/Petitioner, _____, appeared in person and pro se. Joint Petitioner/Respondent, _____, appeared in person and pro se / did not appear.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

I, the Judge before whom this action was tried, do hereby make these Findings of Fact and Conclusions of Law.

1. The residence requirements of Ch. 767, Wis. Stats., have been met.
2. Wife's legal name: _____
Residence: _____
Birthdate: _____
Social Security Number: _____
Occupation: _____
Income: Gross: \$ _____/month; Net: \$ _____/month
3. Husband's legal name: _____
Residence: _____
Birthdate: _____
Social Security Number: _____
Occupation: _____
Income: Gross: \$ _____/month; Net: \$ _____/month
4. The parties were married on _____, _____ at _____.

5. Indicate the grounds for the legal separation by circling one of the choices below:
 - a. The marriage is irretrievably broken and there is no prospect for reconciliation.
 - b. The marital relationship is broken.

6. Neither party has begun any other action for divorce, legal separation or annulment affecting this marriage anywhere. (Except:

7. Neither party has been previously married. (Except:

8. The wife is (not) pregnant and there are no minor children of this marriage.

9. The parties have filed forms disclosing their incomes, assets and liabilities, and these forms have been entered into evidence. The assets of the parties, their interests therein, the values thereof, and their encumbrances and debts are found to be as set forth in the financial form(s) of the parties, which were updated as required by statute on the record and marked as exhibits at the time of trial. (Except for the following:

10. The parties herein voluntarily entered into an agreement for a division of the marital estate and related issues; that the provisions of the Marital Settlement Agreement of the parties are found by this court to be fair and reasonable; and that the terms of such agreement shall be incorporated into the Court's Conclusions of Law and Judgment. (Except the following amendments made as part of the court's judgment:

Support Payments

11. Check one:
 - Maintenance to both parties is denied.
 - Maintenance of \$_____ per month/biweekly payable by _____ to _____ commencing _____.

12. The arrears of record for maintenance as of the date of trial are (check one):
 - as shown on the records of the Wisconsin Support Collection Trust Fund.
 - established at \$_____.
 - none.

13. The outstanding arrearage in support as found above shall be paid as follows:

14. All maintenance payments provided herein shall be paid to the Wisconsin Support Collection Trust Fund (WI-SCTF) at P.O. Box 74200, Milwaukee, WI 53274-0200.

15. Support payer shall pay an annual sum of \$35.00 pursuant to § 767.29(1)(d), Wis. Stats. The annual fee shall be paid at the time of, and in addition to, the first payment to the WI-SCTF in each year for which payments are ordered.

16. Whenever an order for support is entered, each party shall provide to the county child support agency his or her social security number, residential and mailing addresses, telephone number, operator's license number, and the name, address and telephone number of his or her employer. A party shall advise the county child support agency of any change in the information provided under this subsection within 10 business days of the change.
17. Payer shall notify the county child support agency within 10 business days of any change of employer and of any substantial change in the amount of his or her income such that his or her ability to pay maintenance is affected. Notification of any substantial change in the amount of the payer's income will not automatically result in a change of the support order unless a revision of the order is sought and granted.
18. This support order constitutes an income withholding assignment of all commissions, earnings, salaries, wages, pension benefits, benefits under Ch. 102 or 108, lottery prizes that are payable in installments and other money due or to be due in the future to the county child support agency where the action is filed.
19. The court shall provide notice of the assignment by regular mail addressed to the payer's current employer or to the person from whom the payer receives or will receive money. The assignment shall be for an amount sufficient to ensure payment of current amounts imposed by the court for the support of the spouse and to defray any arrearages in payments due.

JUDGMENT OF LEGAL SEPARATION

20. _____ and _____
are legally separated effective immediately.
21. The terms and conditions of the legal separation shall be identical to the terms and conditions of the Marital Settlement Agreement of the parties, a copy of which is attached, and it is incorporated as if fully set forth herein, and is made the judgment of the court. (Except the following amendments:
22. Disobedience of court orders is punishable under Ch. 785, Wis. Stats., by commitment to the county jail or house of correction until such judgment is complied with and the costs and expenses of the proceedings are paid or until the party committed is otherwise discharged, according to law.

JUDGMENT IS HEREBY RENDERED EFFECTIVE AS OF THE DATE OF TRIAL AND THE CLERK IS ORDERED TO ENTER THIS JUDGMENT.

Dated at _____, Wisconsin, this _____ day
of _____, 20__.

BY THE COURT:

Honorable Gerald W. Laabs
Jackson County Circuit Court