

**INSTRUCTIONS FOR JOINT PETITION FOR DIVORCE  
(WITHOUT MINOR CHILDREN)**

This form is intended for use by individuals who agree that their marriage is irretrievably broken, that they should be divorced and that they wish to file for divorce together. You can file a joint petition for divorce only if at least one of the parties has lived in the State of Wisconsin for at least six months prior to the time the divorce is filed and in Jackson County for at least thirty days before filing the divorce. The attached form is available for you to use in filing a joint petition for divorce but is not the only form available for this purpose. If you file a joint petition for divorce, you do not need to file a summons.

**STEP 1: FILL OUT THE FORM**

Both parties should read and fill out the form. Type or print neatly. Please review carefully the following instructions.

**CAPTION:** Either party's name may appear first on the two lines in the caption labeled "Joint Petitioner". Put one name on each line. Each party's name must appear on the same line on documents you file in the future.

**SECTION 1:**

Print the full legal name of the wife on the first line after "The wife is". Fill in other information requested.

**SECTION 2:**

Print the full legal name of the husband on the first line after "The husband is". Fill in other information requested.

**SECTION 3:**

Fill in the date on which you were married and the county and state where the marriage took place.

**SECTION 5:**

Place an "X" in the box to indicate whether the husband, wife or both parties have resided in Jackson County for at least 30 days immediately before starting the divorce action and in the State of Wisconsin for 6 months immediately prior to the commencement of the divorce.

**SECTION 6:**

If one or both of you have previously filed for divorce, state in the space provided who filed for divorce, in what county and when (if you know the date).

**SECTION 7:**

If either of you was previously married, indicate in the space provided, which party was previously married, to whom, and the date of the divorce (if you know the date).

**SECTION 9:**

Indicate if the wife is pregnant. If she is pregnant, cross out the word "not".

**SECTION 10:**

Indicate whether you have already entered an agreement as to maintenance or property. If you have entered such an agreement mark an X in the box.

**SECTION LABELED "Joint Petitioners Request the Following Relief" (Page 2)**

Circle the items you are requesting.

**SIGNATURES**

Both parties should sign and date their signatures where indicated.

**MAKE TWO ADDITIONAL COPIES OF THE JOINT PETITION**

**STEP 2: FILE CASE AND PAY FEE**

Take the original and two copies of the form to the Clerk of Courts, Jackson County Courthouse, 307 Main Street, Black River Falls, WI 54615 in order to file the case. You will have to pay a filing fee of \$172 or \$182, depending upon whether one of the parties will be seeking maintenance.

If you believe that both parties are entitled to a waiver of the fee because of poverty, fill out a Petition for Waiver of Filing and Service Fees available online. **The Family Court Commissioner will determine if the fee can be waived. If you ask for a waiver, do so before paying any fees, not after.** .

In Re the Marriage Of:

Divorce Code #40101

Joint Petitioner

**JOINT PETITION  
FOR DIVORCE  
(No Minor Children)**

Joint Petitioner

CASE # \_\_\_\_\_

Both parties, appearing pro se, state under oath:

1. The wife is: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City, State, Zip: \_\_\_\_\_  
 Date of Birth: \_\_\_\_\_ Social Security # \_\_\_\_\_  
 Occupation: \_\_\_\_\_
2. The husband is: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City, State, Zip: \_\_\_\_\_  
 Date of Birth: \_\_\_\_\_ Social Security # \_\_\_\_\_  
 Occupation: \_\_\_\_\_
3. The parties to this action were married on \_\_\_\_\_, 19\_\_ / 20\_\_ at \_\_\_\_\_
4. The marriage is irretrievably broken and there is no prospect for reconciliation.
5. The  husband  wife  parties have/has resided in Jackson County for not less than thirty (30) days immediately before the commencement of this action, and in the State of Wisconsin for not less than six (6) months, immediately prior to the commencement of this action.
6. No other action for divorce, annulment or legal separation has been brought by either party in any court of this state or another state (Except: \_\_\_\_\_  
 \_\_\_\_\_)
7. Neither of the parties was previously married. (Except: \_\_\_\_\_  
 \_\_\_\_\_)
8. There are no minor children born of or adopted to this marriage.
9. The wife is (not) pregnant.
10. The petitioners  have  have not entered into any written agreement as to maintenance of either party or property division (attach a copy of any such agreement).

11. Joint petitioners consent to the personal jurisdiction of the Jackson County Circuit Court and waive service of a summons in this action as permitted by WI Stat § 767.085(3)

JOINT PETITIONERS REQUEST THE FOLLOWING RELIEF:

- A. Divorce
- B. Fair and final property settlement
- C. Maintenance
- D. Restoration of wife's former surname
- E. Such other relief as the court deems just and reasonable

YOU ARE HEREBY NOTIFIED that pursuant to WI Stat § 767.087, during the pendency of this action; both parties are prohibited from and may be held in contempt of court for:

- (1) harassing, intimidating, physically abusing, or imposing any restraint on the personal liberty of the other party or a minor child of either of the parties;
- (2) encumbering, concealing, damaging, destroying, transferring or otherwise disposing of property owned by either or both of the parties, without the consent of the other party or an order of the court or family court commissioner, except in the usual course of business, in order to secure necessities or in order to pay reasonable costs and expenses of the action, including attorney fees.

These restraining orders apply until the action is dismissed, a final judgment in the action is entered, or the court orders otherwise.

A VIOLATION OF THE ABOVE RESTRAINING ORDER MAY RESULT IN PUNISHMENT FOR CONTEMPT, WHICH MAY INCLUDE MONETARY PENALTIES, IMPRISONMENT AND OTHER SANCTIONS AS PROVIDED FOR IN WI STAT § 785.04.

\_\_\_\_\_  
Joint Petitioner Signature                      Date

\_\_\_\_\_  
Joint Petitioner Signature                      Date