

**INSTRUCTIONS FOR JOINT PETITION FOR LEGAL SEPARATION  
(NO MINOR CHILDREN)**

This form is intended for use by individuals who agree that their marriage is irretrievably broken or that their marital relationship is broken, and who wish to file for legal separation together. The form is to be used when the parties do not have children together who are under the age of 18. You can file for legal separation only if at least one of the parties has lived in Jackson County for thirty (30) days immediately before filing for legal separation. If you file a joint petition for legal separation, you do not need to file a summons. **You do not need to file for legal separation in order to file for divorce.**

**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.**

In the caption at the top of the first page, either party's name may appear first on the two lines labeled "joint petitioner". Print one name on each line. Each party's name must appear on the same line on documents you file in the future.

1. Print the wife's full name on the first line. Print the other information requested.
2. Print the husband's full name on the first line. Print the other information requested.
3. Fill in the date on which you were married and the county and state where the marriage took place.
5. Check whether the husband, wife or both parties have resided in Jackson County for 30 days immediately before filing for legal separation.
7. If the wife is pregnant, cross out the word "not".
8. If one or both of you have previously filed for a legal action affecting this marriage, state in the space provided who filed, in what county and when (if you know the date).
9. If either of you was previously married, indicate in the space provided which party was previously married, to whom, and the date the marriage was terminated (if you know the date).
10. If you have entered into any written agreements as to support, maintenance of either party or property division, cross out the word "not".
12. Circle the items that you are requesting the judge to order.
13. In the space provided, state the specific reason why you are requesting a legal separation.

Both parties must sign and date the Joint Petition for Legal Separation at the bottom of the second page.

**Make two additional copies of the Joint Petition for Legal Separation after you have signed it.**

**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 either \$172 or \$182 depending on whether someone will be seeking maintenance.

If you believe that you 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.**

12/21/04
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In re the marriage of:

**LEGAL SEPARATION (Code 40201)**

\_\_\_\_\_,  
Joint Petitioner,

**JOINT PETITION FOR LEGAL  
SEPARATION  
(no minor children)**

and

\_\_\_\_\_,  
Joint Petitioner.

Case No. \_\_\_\_\_

Both parties state as follows:

1. Wife's name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City, State, ZIP: \_\_\_\_\_  
 Date of birth: \_\_\_\_\_ Social Security No. \_\_\_\_\_  
 Occupation: \_\_\_\_\_
2. Husband's name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City, State, ZIP: \_\_\_\_\_  
 Date of birth: \_\_\_\_\_ Social Security No. \_\_\_\_\_  
 Occupation: \_\_\_\_\_
3. The parties to this action were married on \_\_\_\_\_, 19\_\_ / 20\_\_  
 at \_\_\_\_\_.
4. The grounds for legal separation are:
  - a. The marriage is irretrievably broken with no prospect for reconciliation
  - b. Or the marital relationship is broken.
5. The  husband  wife  parties has/have been (a) resident(s) of Jackson County for thirty (30) days immediately prior to the commencement of this action.
6. There are no minor children born to or adopted by the parties.
7. The wife is (not) pregnant.
8. No other legal action affecting this marriage has been brought by either of the parties in this state or elsewhere. (Except:

9. Neither party was previously married. (Except:
10. The parties have (not) entered into any written agreements as to support, maintenance of either party or property division.
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 Wis. Stat. § 767.085(3).
12. Joint petitioners request the following relief:
- a. Legal separation
  - b. Fair and final property settlement
  - c. Maintenance
  - d. Such other relief as the court deems just and reasonable
13. Joint petitioners state the specific reason for requesting a legal separation, pursuant to Wis. Stat. § 767.085(1)(f):

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**You are hereby notified** that pursuant to Wis. 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 a circuit 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 or a circuit court commissioner 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 Wis. Stat. § 785.04.**

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Joint Petitioner Signature

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Date

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Joint Petitioner Signature

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Date