

DIVORCE

The website www.wicourts.gov will provide you with information about starting a divorce action, including the relevant forms that are used as well as help completing the forms. Alternatively, printed forms are available from the Clerk of Court's office for a fee. It is much easier, however to use the online forms because the program will complete the appropriate forms for you.

After commencing the divorce, there is a 120-day waiting period before a final judgment of divorce or legal separation can be granted. During the waiting period either party can request a Temporary Order from the Family Court Commissioner to control how things happen until the final divorce hearing is held.

If there is a disagreement regarding custody or placement of the parties' minor children, the Family Court Commissioner will refer the parties to mediation. The parties can also request a referral to the mediator by completing the Request for Mediation form (available online) and by forwarding it to the Family Court Commissioner's office. If mediation is unsuccessful a Guardian ad Litem will be appointed to represent the best interests of the children. In that case, each party will be ordered to post a deposit with the clerk of court as advance payment of the legal fees.

In cases where there are minor children, the parties must both attend a "Kids in a Break" program or its equivalent before the court will grant a divorce. It is a single session program designed to educate parents about the effect a divorce can have on their children. There is a small fee for attending the program. Upon completion of the program, the parties should file the certificate of completion with the Clerk of Courts. Parties can register for this program by contacting www.divorce-classroom.com or calling 866-724-2000. The Clerk of courts office has this information as well.