

**PRINT in BLACK ink**

Enter the name of the county in which you are filing this case.

**STATE OF WISCONSIN, CIRCUIT COURT,**  
\_\_\_\_\_ **COUNTY**

*For Official Use*

Enter your name (you are the **petitioner**).

In re the marriage of:

**Petitioner:**

First name Middle name Last name

Address

Address

City State Zip

Enter your address.

On the far right, check divorce or legal separation.

and

**Respondent:**

First name Middle name Last name

Address

Address

City State Zip

Enter your spouse's name (your spouse is the **respondent**).

Enter your spouse's address.

**Note:** Leave case number blank; the clerk will add this.

**Petition**  
Without Minor Children

**Divorce-40101**  
 **Legal Separation-40201**

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

**I am the petitioner in this action.**

Enter your date of birth [month, day, year].  
Check yes or no.

**A. I am providing the following information about myself:**

1. Date of birth \_\_\_\_\_
2. Immediately before filing this petition, I will have lived in this county for 30 days or more.  
 **Yes**  **No**
3. Immediately before filing this petition, I will have lived in the state of Wisconsin for 6 months or more.  
 **Yes**  **No**
4. I am currently on active duty as a member of the Armed Forces of the United States of America or its allies.  
 **Yes**  **No**

Check yes or no.

Check yes or no.

Enter your spouse's date of birth [month, day, year].  
Check yes or no.

**B. I am providing the following information about the respondent, my spouse:**

1. Date of birth \_\_\_\_\_
2. Immediately before filing this petition, the respondent will have lived in this county for 30 days or more.  
 **Yes**  **No**
3. Immediately before filing this petition, the respondent will have lived in the state of Wisconsin for 6 months or more.  
 **Yes**  **No**
4. The respondent is currently on active duty as a member of the Armed Forces of the United States of America or its allies.  
 **Yes**  **No**

Check yes or no.

Check yes or no.

**C. I am providing the following marriage information:**

Enter the date [month, day, year], city, and state in which you were married.

Check a or b. If b, explain why you are filing for a legal separation and not a divorce.

Check a or b. If b, enter the county and state in which it was filed, the case number assigned to it, and check yes or no to indicate if the case has been dismissed.

Check yes or no. If no, respond to 5a-5d with information about your most recent previous marriage.

If you had an additional previous marriage, respond to 5e-5h.

Check yes or no. If no, respond to 6a-6d with information about your spouse's most recent previous marriage, if known.

If your spouse had an additional previous marriage, respond to 6e-6h.

1. My spouse and I were married on (date) \_\_\_\_\_.

2. We were married in (city) \_\_\_\_\_ (state)\_\_\_\_\_.

3. I am filing for:

a.  **Divorce:** This marriage is irretrievably broken.

b.  **Legal Separation:** This marriage is broken and the reason I am requesting a legal separation and not a divorce is: \_\_\_\_\_

4. **Previous Actions:**

This is the first time that either my spouse or I have filed for divorce or legal separation **from each other** in Wisconsin or in any other state:

a.  **Yes**

b.  **No:** County: \_\_\_\_\_

State: \_\_\_\_\_

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

Has this case been dismissed:  **Yes**  **No**

5. This is my first marriage.

**Yes**  **No**

a. I was previously married to \_\_\_\_\_

b. The marriage was terminated by  **divorce.**  **death.**

c. Date of the divorce or death: \_\_\_\_\_

d. The divorce was granted in:

Name of court: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_

e. I was also previously married to \_\_\_\_\_

f. The marriage was terminated by  **divorce.**  **death.**

g. Date of the divorce or death: \_\_\_\_\_

h. The divorce was granted in:

Name of court: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_

*If you had more than 2 previous marriages, repeat 5e-5h on an additional sheet.*

6. This is my spouse's first marriage.

**Yes**  **No**

a. My spouse was previously married to \_\_\_\_\_

b. The marriage was terminated by  **divorce.**  **death.**

c. Date of the divorce or death: \_\_\_\_\_

d. The divorce was granted in:

Name of court: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_

e. My spouse was also previously married to \_\_\_\_\_

f. The marriage was terminated by  **divorce.**  **death.**

g. Date of the divorce or death: \_\_\_\_\_

h. The divorce was granted in:

Name of court: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_

*If your spouse had more than 2 previous marriages, repeat 6e-6h on an additional sheet.*

Check a or b. If b, write the names and dates of birth of all **adult** children born to the wife during the marriage.

**D. I am providing the following information regarding children:**

- 1. a.  No children were born to or adopted together by me and my spouse before or during our marriage.
- b.  All children, who are currently age 18 or older, born to the wife during the marriage include:

**Name of child**

**Date of birth**

Name of child	Date of birth

- 2. To the best of my knowledge, the wife in this marriage:
  - a.  **is** currently pregnant. (An attorney [guardian ad litem] for the unborn child will be required if the husband is not the father.)
  - b.  **is not** currently pregnant.
- 3. My spouse and I have made written agreements or received orders from the court about some or all of the matters in this action such as maintenance (spousal support) or property division.
  - a.  **Yes, and I have attached a copy of the written agreement to this Petition.**
  - b.  **No**

Check a or b.

Check a or b. If a, attach a copy of the written agreement.

**I ask that the court:**

- 1. Grant a judgment as requested.
- 2. Enter an order granting maintenance.
  - Yes**     **No**
- 3. Enter other orders as it deems just and equitable.

If you are requesting maintenance (spousal support) at this time, check yes. If not, check no.

**ACTS PROHIBITED BY STATUTE**

In accordance with sec. 767.117 Wis. Stats., neither the petitioner nor the respondent to this divorce or legal separation action can participate in any of the following activities while this action is pending:

- 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 in any other way 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 the 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.

**A VIOLATION OF THE ABOVE PROHIBITIONS MAY RESULT IN PUNISHMENT FOR CONTEMPT, WHICH MAY INCLUDE MONETARY PENALTIES, IMPRISONMENT, AND OTHER SANCTIONS AS PROVIDED FOR IN SEC. 785.04 WIS. STATS.**

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

Sign and print your name.

Enter the date on which you signed your name.

**Note:** This document does not need to be Notarized.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print or Type Name

\_\_\_\_\_  
Date