

## **READ THE FOLLOWING CAREFULLY BEFORE USING THESE FORMS**

These forms are provided as a public service. They are not a substitute for legal advice. An attorney, who is educated in the law, is the only person who can give you legal advice. The people at the Racine County Child Support office cannot help you fill out these forms as they are not able to provide legal advice. You may wish to discuss your case with an attorney and obtain legal advice regarding the procedure you are about to start.

**\*\*\*\*\*PLEASE NOTE\*\*\*\*\*** If you are seeking modification or changes in an existing court order, a filing fee will have to be paid on the 8<sup>th</sup> floor of the Courthouse when filing your motion papers. Cost will be between \$30.00 and \$50.00.

## **INSTRUCTIONS FOR PROCESSING COMPLETED PAPERWORK**

1. You will need a minimum of four (4) copies and the ORIGINAL of the ORDER TO SHOW CAUSE and the SUPPORTING AFFIDAVIT. Original to court, 2 copies to process server, 1 copy to Child Support Dept and 1 copy for your records. NOTE: Persons wishing to claim indigency go to STEP 2. Persons who are not claiming indigency go to STEP 3.
2. AFFIDAVIT OF INDIGENCY: There are no court filing fees for an Order to Show Cause/Contempt. However, if you are indigent, the other party resides in Wisconsin and you know their address you may wish to complete the AFFIDAVIT OF INDIGENCY to request that the Sheriff's fees for serving the papers on the other party be waived. The form is available on the 8<sup>th</sup> floor of the Courthouse. Take the Affidavit of Indigency, Order to Show Cause and Supporting Affidavit to the Family Court Clerk on the 3<sup>rd</sup> floor of the Courthouse.
3. Take ORIGINAL and all copies to the Clerk of Court on the 8<sup>th</sup> floor of the Courthouse. The Clerk of Court will stamp the ORIGINAL. Ask to have at least two(2) of your copies stamped also.
4. Take all paperwork and your receipt to the Family Court Clerk on the 3<sup>rd</sup> floor of the Courthouse.
  - a) You will be given a date and time to appear in Court. The Clerk will write the date and time on the ORIGINAL and on the same copy that was stamped on the 8<sup>th</sup> floor.
  - b) You must fill in the date and time on all of the other copies.
5. You MUST have these papers served on the other party and the Child Support Dept.  
**SERVING THE OTHER PARTY WHEN THEY RESIDE IN THAT STATE OF WISCONSIN**
  - a) If the Judge signed the indigency waiver, you know the address of the other party and the other Party resides in WISCONSIN, the Clerk of Family Court will send the documents out for service on the other party.
  - b) If you are not indigent, the Clerk of Family Court will return documents to you after they have been file stamped. You will either need to contact the Sheriff's Dept. in the county where the other party resides for information about service OR you can contact the Clerk of Court on the 8th floor for information about Process Servers.

### **SERVING THE OTHER PARTY WHEN THEY RESIDE OUTSIDE THE STATE OF WISCONSIN**

If the other party resides outside of the State of Wisconsin you will be responsible for having the papers served on the other party. You will need to contact the Sheriff's Dept or a private Process Server in the county where the other party resides.

### **SERVING THE CHILD SUPPORT DEPARTMENT**

Take one copy of the ORDER TO SHOW CAUSE and SUPPORTING AFFIDAVIT to the Racine County Child Support Dept, 818 6<sup>th</sup> St Suite 2, Racine WI. Ask the clerk to stamp one of your copies so that you have proof that they were served.

6. When the papers are served on the other party an AFFIDAVIT OF SERVICE will be prepared. You MUST bring this to the hearing with you. NO SERVICE, NO HEARING.