

INSTRUCTIONS FOR SERVICE BY PUBLICATION FOR DIVORCE OR LEGAL SEPARATION

These forms are only to be used if, after reasonable diligence, the respondent cannot be served personally. “Reasonable diligence” may include contacting the respondent’s relatives or friends for a current address and evidence of failed attempts at personal service. See WI Statute § 801.11(1)(c) for more information.

Read and fill out the forms. Type or print neatly. Please review carefully the instructions included in the forms. Make 3 copies of the form. File the form with the Dane County Clerk of Courts. The Clerk of Courts will retain a copy and give you the original and 2 authenticated copies.

PUBLICATION SUMMONS

If the respondent’s last known place of residence was Dane County, take or send a copy of the SUMMONS BY PUBLICATION form to Capital Newspapers, 1901 Fish Hatchery Road, Madison, WI 53713 with a check for \$150. You may be eligible for a fee waiver. Contact the newspaper for more information (608) 252-6200. The notice will run as a class 3 notice and run for three weeks (pursuant to WI Statute § 801.11(1)(c)).

If the respondent’s last known place of residence was another geographic area, you must publish in a newspaper qualified to provide legal notices in that vicinity which is likely to give notice to the respondent.

The newspaper will send you a “**Proof of Publication Affidavit**”. Make one copy of the original form they send you. File the copy with the Court Commissioner Center (Room 2000 Dane County Courthouse). Retain the original for yourself.

PUBLICATION AFFIDAVIT OF MAILING

You **MUST** also mail a copy of the Summons by Publication and the copies of the Summons and Petition to the last known address of the other party.

Fill out the Publication of Affidavit of Mailing form, sign and date the affidavit in front of a Notary Public for the State of Wisconsin. Take or send a copy to the Court Commissioner Center (Room 2000). Retain the original for yourself.

AFFIDAVIT OF EFFORTS TO LOCATE ABSENT RESPONDENT

Fill out the form. Be sure to check all the efforts you have made to locate and to notify the respondent of this court action prior to publication. You may be asked to provide evidence of your actions (receipts, returned mail, etc.)

Sign and date the affidavit in front of a Notary Public for the State of Wisconsin.

Take or send a copy to the Court Commissioner Center (Room 2000). Retain the original for yourself.