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## Notice of Motion and Motion to Change Notice of Change – Post Divorce

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111 N Main St  
#400  
Oshkosh, WI 54901  
(920) 479-2058

Petitioner/Joint Petitioner A: \_\_\_\_\_  
Respondent/Joint Petitioner B: \_\_\_\_\_

Enter the name of the county in which the original case was filed.	<b>STATE OF WISCONSIN, CIRCUIT COURT,</b> _____ <b>COUNTY</b>
Mark marriage or paternity. If paternity, enter initials of child.	IN RE: THE <input type="checkbox"/> MARRIAGE <input type="checkbox"/> PATERNITY OF _____ <b>Petitioner/Joint Petitioner A</b>
Enter the name, address and daytime phone number of the petitioner or joint petitioner from the original case file.	_____ Name (First, Middle and Last) _____ Current Mailing Address
On the far right, mark the box for the change(s) you are requesting and enter the original case number.	City _____ State _____ Zip _____ Daytime Phone Number _____ -VS- <b>Respondent/Joint Petitioner B</b>
Enter the name, address, and daytime phone number of the respondent or joint petitioner from the original case file.	_____ Name (First, Middle and Last) _____ Current Mailing Address
Check if the State of Wisconsin is a party or not. If you are unsure, you may call your local Child Support Agency.	City _____ State _____ Zip _____ Daytime Phone Number _____ The State of Wisconsin (Child Support Agency) <input type="checkbox"/> <b>is</b> <input type="checkbox"/> <b>is not</b> a party to this action.

**Notice of Motion and Motion to Change**  
☐ **Legal Custody**  
☐ **Physical Placement**  
☐ **Child Support**  
☐ **Maintenance**  
☐ **Arrears Payment**  
☐ **Other:** \_\_\_\_\_  
Case No. \_\_\_\_\_

## NOTICE OF MOTION

Enter the name of the person to whom this motion is directed.
<b>For Court Use Only:</b> This section will be completed by the court.

TO: \_\_\_\_\_

### You are notified that at the following date and time:

Before \_\_\_\_\_  
Location \_\_\_\_\_  
Date \_\_\_\_\_ Time \_\_\_\_\_ ☐ a.m. ☐ p.m.,

or as soon as the matter may be heard.

I will be asking the court to change the existing order in this case as indicated below.  
*If you object to this motion, you need to appear and say so. Otherwise, the court may proceed without you and grant the request.*

You may contact the office of the family court commissioner for written information on modifying and enforcing court orders or judgments.

## MOTION

1. **MODIFY** as follows:

☐ A. **Physical Placement Order(s)** (time with children) for the following children:

- ☐ 1) from primary physical placement with [Name of Parent] \_\_\_\_\_  
to primary placement with [Name of Parent] \_\_\_\_\_  
☐ 2) from shared placement to primary placement with [Name of Parent] \_\_\_\_\_  
☐ 3) from primary placement to shared placement.

Petitioner/Joint Petitioner A: \_\_\_\_\_  
Respondent/Joint Petitioner B: \_\_\_\_\_

Check A if you are requesting a change to physical placement, list the children affected, check 1-4 and/or 5 and/or 6-7 and complete the necessary information. Indicate if you have or have not attempted Mediation. If you have, indicate the date of the Mediation session.

Check B if you are requesting a change to legal custody, list the children affected, check 1, 2, or 3 and complete the necessary information.

Check C if you are requesting changes to child support orders. In 1, enter the amount and frequency of the current payment and check whether it includes a deviation for health insurance.

In 2, check a, b, or c.

Check 1 or 2, indicate deviation information.

Check all that apply in D or E, and complete all relevant information for each section checked

- ☐ 4) from the current shared placement schedule (if any) to a new shared placement schedule.

The requested placement schedule for the changes in 1-4 above is as follows:

- ☐ See attached
- ☐ 5) If either parent is receiving less than 25% placement with the minor child(ren), the specific reasons more placement with that parent is not in the child(ren)'s best interest is as follows:

- ☐ See attached
- ☐ 6) to require placement with [Name of Parent] \_\_\_\_\_  
be ☐ supervised. ☐ unsupervised.

- ☐ 7) Other: \_\_\_\_\_  
☐ See attached

The other party and I ☐ attempted mediation on [Date] \_\_\_\_\_.  
☐ have not attempted mediation for this issue.

☐ B. **Legal Custody** (decision making) for the following children:

- ☐ 1) to joint legal custody with both parents.  
☐ 2) to sole legal custody with [Name of Parent] \_\_\_\_\_.  
☐ 3) Other: \_\_\_\_\_

☐ See attached

☐ C. **Child Support**

- 1) that is currently \$ \_\_\_\_\_ per \_\_\_\_\_ that  
☐ a. does not include a deviation for health insurance or any other reason.  
☐ b. does include a deviation of \$ \_\_\_\_\_  
☐ upward ☐ downward for health insurance.
- 2) to a new amount beginning \_\_\_\_\_ to be paid by [Parent] \_\_\_\_\_  
to [Parent] \_\_\_\_\_  
☐ a. based on state child support standards determined by the court.  
☐ b. a new set amount of \$ \_\_\_\_\_ per \_\_\_\_\_.  
☐ c. held open (no payment).

I request that this new amount

- ☐ 1. not include a deviation for health insurance or any other reason.  
☐ 2. include a deviation of \$ \_\_\_\_\_  
☐ upward ☐ downward as a cash contribution for health insurance.

☐ D. **Maintenance** (Spousal Support) that is currently \$ \_\_\_\_\_ per \_\_\_\_\_ to

- ☐ 1) an amount beginning \_\_\_\_\_, 20\_\_\_\_ to be determined by the court based on current income.  
☐ 2) a new set amount of \$ \_\_\_\_\_ per \_\_\_\_\_ beginning \_\_\_\_\_, 20\_\_\_\_.

☐ E. **Arrears payment** that is currently \$ \_\_\_\_\_ per \_\_\_\_\_ to

- ☐ 1) an amount beginning \_\_\_\_\_, 20\_\_\_\_ to be determined by the court.  
☐ 2) a new set amount of \$ \_\_\_\_\_ per \_\_\_\_\_ beginning \_\_\_\_\_, 20\_\_\_\_.

**I will be able to provide documentation to the court that supports my request.**

Petitioner/Joint Petitioner A: \_\_\_\_\_  
Respondent/Joint Petitioner B: \_\_\_\_\_

**NOTICE: Both parties must bring a fully completed, dated, and signed Financial Disclosure Statement to court.**

In F, enter any other changes you may have.
In 2, enter the date the current court order or judgment was signed by a court official
In 3, check all that apply in A-J. If F or G, enter the party's information that has changed. If other, enter the change in circumstance that has prompted you to bring this Motion.

Describe the facts that justify the change you want. Attach additional pages, if necessary
--

☐ F. Other change(s): \_\_\_\_\_ ☐ See attached

2. The court order that I am asking to be modified was dated \_\_\_\_\_.
3. This request is based on the following substantial change in circumstances that have occurred since the entry of the prior court order in this case.
- ☐ A. A child who was living with the other parent is now living with me.
- ☐ B. A child is no longer eligible for child support because the child has reached age 18, or is over 18 but under 19, and is no longer pursuing a course of education leading to a high school diploma or its equivalent.
- ☐ C. One of the parties has or will be moving to a different residence.
- ☐ D. The parties are no longer living together.
- ☐ E. There is not a placement schedule and the parties cannot agree.
- ☐ F. Employment or work shift of \_\_\_\_\_ has changed.  
☐ both parties has changed.
- ☐ G. Income or wages of \_\_\_\_\_ has changed.  
☐ both parties has changed.
- ☐ H. The availability or cost of health insurance has changed.
- ☐ I. The party to whom maintenance is owed has remarried.
- ☐ J. Other: \_\_\_\_\_

This is a substantial change in circumstances because:

\_\_\_\_\_  
\_\_\_\_\_

☐ See attached

If you require reasonable accommodations due to a disability to participate in the court process, please call: _____ prior to the scheduled court date. Please note that the court does not provide transportation.
---

Sign and print your name.
Enter the date on which you signed your name.
<b>NOTE:</b> This signature does not need to be notarized.

► \_\_\_\_\_  
Signature

\_\_\_\_\_

Print or Type Name

\_\_\_\_\_

Address

\_\_\_\_\_

Email Address Telephone Number

\_\_\_\_\_

Date State Bar No. (if any)

A copy of this Notice of Motion and Motion must be served upon all other parties at least 5 (five) business days before the date of the hearing. If service is by mail, it must be mailed at least 8 (eight) business days before the date of the hearing. See the Service Packet (FA-5000V) [https://www.wicourts.gov/formdisplay/FA-5000V\\_instructions.pdf?formNumber=FA-5000V&formType=Instructions&formatId=2&language=en](https://www.wicourts.gov/formdisplay/FA-5000V_instructions.pdf?formNumber=FA-5000V&formType=Instructions&formatId=2&language=en) for more information.