

Conversion of Legal Separation to Divorce

P-3106

By Stipulation (the parties agree to convert the legal separation to divorce)

The **Stipulation and Order Converting Legal Separation to Divorce** (FA-4162) is for parties who have been granted a Legal Separation, but who agree to convert it to a divorce. As long as both parties agree, there is no waiting period and it can be filed at any time after the legal separation is granted.

By Motion (the parties do not agree to convert the legal separation to divorce)

The **Motion and Order Converting Legal Separation to Divorce** (FA-4163) is for a party who has been legally separated **for at least one full year** and who wishes to be divorced from their spouse without their spouse's agreement or signature. This motion can be made by either party.

Once either form is **properly** completed and filed with the court, a judge shall grant the divorce. The date of the divorce is the date on which the Judge signs the **Order** section of the form. Neither party may remarry anywhere in the world for at least six months from that date.

This documentation does not allow parties to make changes of any kind to the original Legal Separation papers. If you would like to make changes, please contact an attorney or the Waukesha County Court Self-Help Program for other options.

Court Related Offices		
<p style="text-align: center;">Court Self-Help Center Courthouse, Room C-108 262-548-7524 http://courtsselfhelp.waukeshacounty.gov</p> <p>Open: Mon 8:30 am - 12 pm Wed 12 pm - 4 pm Fri 8:30 am - 4 pm Tues & Thurs by Appointment only</p>	<p style="text-align: center;">Child Support Agency Administration Building, Room 348 262-548-7420</p> <p>Open: Mon-Fri 8 am - 4:30 pm</p>	<p style="text-align: center;">Clerk of Courts Family Court Office Courthouse, Room C-112 262-548-7544</p> <p>Open: Mon-Fri 8 am - 4:30 pm</p>
Waukesha County Courthouse, 515 W. Moreland Blvd, Waukesha, WI 53188		
<p>Notary Public Services are available at no charge in the Family Court Office and Copies can be made in the Court Self-Help Center for \$.15 per page</p>		

Procedural Checklist

By Stipulation

1. Complete the **Stipulation and Order Converting Legal Separation to Divorce**.
2. Go to the Court Self-Help Center during regular business hours (see page 1) to:
 - Have your form reviewed for completeness.
 - Make three **(3) copies**.
 - Complete the **Original Certificate of Divorce or Annulment** (Vital Statistics) form, which may be obtained in the Court Self-Help Center or Family Court Office.
3. Go to the Family Court Office and file the following items:
 - Original and 3 copies of the **Stipulation and Order Converting Legal Separation to Divorce Two self-addressed stamped envelopes** (one addressed to you and one addressed to your spouse).
 - Completed **Original Certificate of Divorce or Annulment** (Vital Statistics).
4. The court will review, sign, and return the order to you and the other party.

These papers are very important. You must keep them in a safe place, as they will serve as your final divorce papers.

By Motion

1. Complete the **Motion and Order Converting Legal Separation to Divorce**.
2. Go to the Court Self-Help Center during regular business hours (see page 1) to:
 - Have your form reviewed for completeness.
 - Make **four (4) copies**.
 - Complete the **Original Certificate of Divorce or Annulment** (Vital Statistics) form, which may be obtained in the Court Self-Help Center or Family Court Office.
3. Mail one copy of the **Motion** that has not yet been signed by the Judge to your spouse.
4. Go to the Family Court Office and file the following items:
 - Original and 3 copies of the **Motion and Order Converting Legal Separation to Divorce**.
 - **Two self-addressed stamped envelopes** (one addressed to you and one addressed to your spouse).
 - Completed **Original Certificate of Divorce or Annulment** (Vital Statistics).
5. The court will hold the form for five (5) days to give the other party time to review the order and object to its accuracy. If there are no objections within the five business days, the court will review, may sign, and return the order to you and the other party.

These papers are very important. You must keep them in a safe place, as they will serve as your final divorce papers.