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What is needed to file for a Divorce in Wisconsin?

Requirements to file for divorce in Wisconsin:

1. One of the spouses must have lived in Wisconsin for at least six months.
2. One of the spouses must have resided in the county where they are filing for at least 30 days.
3. At least one of the spouses states that the marriage is “irretrievably broken” which means there's no way for the marriage to be fixed.

If there are children under the age of 18 who were born during the marriage, then the court must have "jurisdiction" or authority to issue orders regarding the child.

- Typically the court can issue these orders if the child has lived in Wisconsin with a parent for at least six months before the divorce is filed, or since birth if the child is younger than six months when the case is filed. There are some exceptions, but proving them can be tough. If you're unsure whether you meet the six-month rule, it's a good idea to talk to a lawyer.

Note: There are also complex rules about when a divorce judgment may make a spouse who doesn't live in Wisconsin pay spousal support (called 'maintenance' in Wisconsin). If you're thinking about filing for divorce, want support payments, and your spouse doesn't live in Wisconsin, it's best to speak with a lawyer for advice before filing.

See the article on [Starting a Divorce](#) for more information on how to begin your case.

Last updated on February 18, 2025.

[Divorce Process](#) [Divorce Family Law](#)

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