



MANITOWOC COUNTY CIRCUIT COURT

FAMILY COURT COMMISSIONER

1010 SOUTH EIGHTH STREET, ROOM 317

MANITOWOC, WISCONSIN 54220

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REQUEST FOR MEDIATION SERVICES

If you are experiencing difficulties with custody or physical placement (visitation) with your minor child(ren), Wisconsin law provides that you first attempt to mediate your differences prior to the Court hearing your dispute.

However, mediation will not be ordered if the mediation session will cause undue hardship or would endanger the health or safety of one of the parties for the following reasons:

- 1. That a party engaged in abuse of the child.**
- 2. Interspousal battery or domestic abuse.**
- 3. That either party has a significant problem with alcohol or drug abuse.**
- 4. Any other evidence indicating that a party's health or safety will be endangered by attending the session.**

The purpose of mediation is to help parents learn how to develop their own solutions to their placement issues. The focus of mediation is to reach an agreement, or plan, which will be in the best interests of your child(ren). If you are unable to reach an agreement or fail to abide by the schedules established in mediation, you may then be advised to file a motion with the Court for judicial determination of your disputed issues.

The form necessary to initiate the mediation process is attached. Please read through this form carefully and completely before you proceed. Mediation services are administered by the Manistowoc county Office of Family Court Commissioner.

FEES: There is a fee for the first mediation session of \$37.50 to each party. If either party fails to appear, a \$75.00 fee will be assessed to that party. If both fail to appear, each party will be assessed a fee of \$37.50. The county will be responsible for the second hour of mediation. Any time you spend with the mediator after two hours will be billed to you directly by the mediator at \$75.00 per hour.

If you want to request mediation services, you must do the following:

1. Complete the attached "Request for Mediation Services" form.
2. Return the completed form to the Office of Family Court Commissioner, Room 317 at the Manistowoc County Courthouse.
3. You will be notified by mail who your mediator is and the time and date of your appointment.

REQUEST FOR MEDIATION SERVICES

(Complete this form thoroughly to avoid delays in processing)

Date of Divorce/Paternity _____

Court Case Number _____

If Divorce/Paternity pending:

Date of Separation: _____

Father

Mother

NAME: _____

ADDRESS: _____

HOME PHONE: _____

BIRTH DATE: _____

MARITAL STATUS: _____

EMPLOYER: _____

WORKING HOURS: _____

WORK TELEPHONE: _____

Can we call you at work? _____

When would be the best time for you to meet with the mediator: _____

(Note choosing a late afternoon or evening will delay the session date)

Were you ever in mediation before? _____ if so, where _____
when _____

Were you ever in marriage counseling? _____ if so, where _____
when _____

Did you attend the Parenting Program? _____ if so, where _____
when _____

ATTORNEY: _____

ADDRESS: _____

TELEPHONE: _____

Is there a Guardian ad Litem appointed? _____ if so, who _____

Name

Birth date

School Grade

CHILDREN _____

Is there currently pending in Family Court an action for custody, physical placement or visitation concerning the children? YES NO

Is there currently a restraining order prohibiting contact with the other parent? _____

Was alcohol or drug abuse a significant factor within the relations? If so, please explain on back of this sheet. _____

Has either party engaged in interspousal battery or domestic abuse (as described on the following page)? If so, please explain on the back of this sheet. _____

Has sexual or physical abuse of the children ever been reported? If so, please explain on back of this sheet. _____

Who do the minor children currently reside with? _____

What is the current order custody and placement? _____

Please explain the problem:

Please describe what you feel might be a solution to the problem:

I certify that the above information provided is true to the best of my knowledge.

Signature

Date

DEFINITIONS:

Interspousal battery §940.19 or 940.20(1m):

940.19 Battery; substantial battery; aggravated battery. (1) Whoever causes bodily harm to another by an act done with intent to cause bodily harm to that person or another without the consent of the person so harmed...

940.20(1m) Battery by persons subject to certain injunctions. (a) Any person who is subject to an injunction under s.813.12 or a tribal injunction filed under s. 806.247(3) and who intentionally causes bodily harm to the petitioner who sought the injunction by an act done without the consent of the petitioner is guilty of a Class I felony.

(b) Any person who is subject to an injunction under s.813.125 and who intentionally causes bodily harm to the petitioner who sought the injunction by an act done without the consent of the petitioner is guilty of a Class I felony.

Domestic abuse §813.12(1)(am): “Domestic abuse” means any of the following engaged in by an adult family member or adult household member against another adult family member or adult household member, by an adult caregiver against an adult who is under the caregiver’s care, by an adult against his or her adult former spouse, by an adult against an adult with whom the individual has or had a dating relationship, or by an adult against an adult with whom the person has a child in common:

1. Intentional infliction of physical pain, physical injury or illness.
2. Intentional impairment of physical condition
3. A violation of s. 940.225(1), (2), or (3). (First, Second or Third Degree Sexual Assault)
5. A violation of s. 943.01, involving property that belongs to the individual (Intentional damage to physical property of another).
6. A threat to engage in the conduct under subd. 1., 2., 3., or 5.