

## FORM SUMMARY

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**Name of Form:** Motion Converting Legal Separation to Divorce

**Form Number:** FA-4163VA

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**Statutory Reference:** §§765.03(2), 767.35, and 767.395, Wisconsin Statutes

**Benchbook Reference:**

**Purpose of Form:** Either party to an action in which a legal separation has been granted may use this form after one year has elapsed to convert the judgment of legal separation into one for divorce.

**Who Completes It:** Either of the parties to the legal separation.

**Distribution of Form:** Original will be filed with the court. A copy should be provided on the other party.

**Accompanying Forms:** The State of Wisconsin Vital Statistics form must be attached to the motion.

**New Form/Modification:** Modification; last update 01/09.

**Modification:** Incorporated same sex language and added, "PARTIES MUST INCLUDE A PROPOSED ORDER THAT WILL ONLY BECOME ENFORCEABLE IF SIGNED BY A CIRCUIT COURT JUDGE OR CIRCUIT COURT COMMISSIONER."

**Comments:** Split for eFiling, 05/16.

Although this form is denominated as a motion, no motion hearing is required. The court is required to grant the motion when made.

**About this Form:** This form is the product of the Wisconsin Records Management Committee, a committee of the Director of State Court's Office.

**As a *pro se* form, its use is NOT mandatory but it is required to be accepted and distributed by the circuit courts of the State of Wisconsin.**