

Model Jurisdictional Recitals or Findings for Orders, Judgments and Stipulations

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[Divorce Findings/Judgment](#)

[Modification Orders](#)

[Stipulation \(initial Orders\)](#)

[Stipulation to Modify](#)

CAUTION

Extreme care must be exercised in the use of these forms. They have been written *only* for the most typical of cases and will *not* be appropriate for all cases. Before using any of these models, you should carefully review the facts of your specific case to be certain that the stated jurisdictional basis applies in your circumstances.

These forms assume that the most common jurisdictional basis applies [*i.e.*, either “home state” jurisdiction for initial determinations or continuing residence of at least one parent for modification cases]. If jurisdiction is based on any other ground, these forms will need revision to be consistent with another basis for jurisdiction.

If, after reviewing [The UCCJEA: A Focused Introduction](#) and the [UCCJEA Flow Charts](#) in this site’s “[UCCJEA RESOURCES](#)” section, you are still unsure if one of these models is right for your case, you should [contact](#) a jurisdiction expert like Attorney Blumberg.

A. Divorce Findings and Judgment:

Finding: There has never been a prior custody proceeding in any state concerning the minor children], and Wisconsin was the children]’s home state at the time that this action for divorce was first commenced.

Conclusion: This court has jurisdiction, pursuant to Wis. Stat. §822.21(1)(a) to make the custody determinations set forth hereafter.

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B. Modification Orders (Motion)

The petitioner’s motion for modification having come on regularly for hearing before the Honorable _____, Circuit Court Judge/Family Court Commissioner, on [date] , and the appearances being as follows: [insert appearance listings here], and

The Court’s having exclusive, continuing jurisdiction to determine this proceeding by reason of [the father’s][the mother’s][both parties’] continuous residence in Wisconsin since [the commencement of the action for divorce on [date]] [the first filing in this action on [date]], at which time Wisconsin was the children]’s home state, under Wis. Stats. Ch. 822; and

The Court’s having heard and considered the testimony of the parties, the documentary evidence, the moving papers, [etc.]; now, therefore, the Court makes the following orders:

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C. Stipulation for Initial Order. Paragraph 1:

1. Custody Jurisdiction. This court has jurisdiction, under Wis. Stat. §822.21(1)(a), to make the custody determinations agreed to here, because there has never been a prior custody proceeding in any state concerning the minor child[ren], and Wisconsin was the child[ren]'s home state at the time that this action was commenced. The parties understand that the State of Wisconsin has and will have exclusive, continuing jurisdiction to modify the orders made herein so long as at least one of the parents continues to reside in Wisconsin, even if the child[ren] do[es] not.

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D. Stipulation to Modify. Paragraph 1:

1. Custody Jurisdiction. This court had jurisdiction to enter the judgment of [paternity] [divorce] in this action, because there had never been a prior custody proceeding in any state concerning the minor child[ren], and Wisconsin was the child[ren]'s home state at the time that the original action was commenced. This court has exclusive, continuing jurisdiction to enter the modifying orders agreed to herein, because the [child and both parents] [the child] [the father] [the mother] have/has continued to reside in Wisconsin since the judgment of [paternity] [divorce] was filed. The parties understand that the State of Wisconsin has and will have exclusive, continuing jurisdiction to modify the orders made herein so long as at least one of the parents continues to reside in Wisconsin, even if the child[ren] do[es] not.

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