

THINGS TO KNOW WHEN GETTING READY FOR THE INJUNCTION HEARING

The information contained on this web page is provided as a courtesy to members of the public, and shall not be construed as legal advice. If you have questions, contact the Wisconsin Bar Association Lawyer Referral and Information Service [\(800\) 362-9082](tel:(800)362-9082) for additional assistance.

1. Each party should bring all evidence to the injunction hearing he or she wants the court official to see. The court official is unlikely to reschedule the injunction hearing because a party is not prepared.
 - Evidence may include, but is not limited to: text messages, voicemails, emails, photographs of injuries or damage to property, stalking warning letters, other types of official documents and records, or testimony given by a Petitioner, Respondent, or witness while under oath.
 - Police reports **may not** be admissible as evidence. Statements written by other people who do not appear at the injunction hearing to testify (even if the statement is notarized) **may not** be admissible as evidence. If a party wants to submit a police report or other official document as evidence, the writer of the report/document must be a witness at the injunction hearing.
 - Court officials cannot access police reports, other case files inside or outside Oconto County, or other types of records. Court officials do not research cases.
2. Each party must make three (3) copies of all evidence being offered as exhibits at the injunction hearing. One copy is provided to the Court to keep in the court file. One copy is provided to the opposing party. One copy is kept by the petitioning party.
3. **Any audio/video evidence must be down-loaded on three (3) separate thumb drives or computer disks. The party submitting audio/video evidence must bring their own laptop to the injunction hearing for presenting their evidence to the Court.**
 - An appointment must be scheduled with the Clerk of Courts Office prior to the date of the hearing for equipment testing to ensure there are no problems when presenting the audio/video exhibits to the Court. Contact 920-834-6843 to schedule an appointment.
4. The Court does not subpoena witnesses. Each party is responsible for subpoenaing their own witnesses and paying any required service of process and subpoena fees.
 - Subpoenas must be personally served.
 - [Form GF-126A](#) Subpoena
 - or
 - [Form GF-126B](#) Certificate of Appearance (Subpoena)
 - The witness must be paid \$16.00 per day plus \$.20 for each mile the witness has to travel from their home to the courthouse at the time of service. The person completing the subpoena is responsible to calculate the fees.
5. A court official cannot make orders about property, custody and placement of children, or orders that protect people other than the Petitioner.
6. A Petitioner who has children in common with the Respondent should think about how to safely exchange the children (i.e. Is there a third party that can arrange the exchanges?). If requested, sometimes court officials will make exceptions to the injunction to allow the parties to contact each other through email, text message or phone solely for the purposes of child placement exchanges.)

THINGS TO KNOW ABOUT THE INJUNCTION HEARING

1. The Petitioner and the Respondent are to report to the Circuit Court/Family Court Commissioner's Office, Oconto Co. Courthouse, Room 1174, 301 Washington St, Oconto on the date and time of the injunction hearing to check in.
 - Respondent's failure to appear on time may result in the Petition for Injunction being granted.
 - Petitioner's failure to appear on time may result in the court case being dismissed.
2. Bring witnesses, three copies of all evidence to be submitted as exhibits, and a laptop, if necessary, with you to the injunction hearing.
3. Each party will have the opportunity to present their own testimony, evidence, and witnesses to the court official during the injunction hearing.
4. Each party will have the opportunity to cross-examine (question) the opposing party and any witnesses they may have. The court official or an attorney representing either party may also question the Petitioner, Respondent, or any other witnesses.
5. After both parties have testified and presented their evidence, the court official will decide if the petition for injunction is granted or denied.
6. The Court Clerk will draft the Injunction or Order Dismissing Petition for Injunction immediately after the injunction hearing. Parties are to wait for the Court Clerk to provide him/her with an authenticated copy before leaving the Courthouse. Each party is asked to sign an Admission of Service.