

State of Wisconsin : Circuit Court : MILWAUKEE County
FAMILY COURT BRANCH

In re the marriage of:

PETER BOYAJIAN

(Petitioner)

Case No. 565-066

-and-

GERALDINE J. BOYAJIAN

(Respondent)

~~(Petitioner)~~

FINDINGS OF FACT,
CONCLUSIONS OF LAW,
AND JUDGMENT OF DIVORCE

TRIAL

Presiding Judge Christ T. Seraphim
Place Milwaukee County Circuit Court, 901 North Ninth Street,
Milwaukee, Wisconsin 53233, Branch 11
Date May 17, 1984

Appearances:

Petitioner in person and by Ralph W. Raasch
Respondent ~~(did not appear)~~/appeared in person and by John Arakelian
Others:

I, the Judge before whom this action was tried, do hereby make these findings of fact, conclusions of law and judgment.

FINDINGS OF FACT

1. For at least six (6) months before the commencement of this action the ~~(petitioner/respondent)~~ both parties ~~(was/were)~~ were continuous resident(s) of the State of Wisconsin, and of this County for at least 30 days prior to such commencement; further that all parties have been duly served, that 120 days have lapsed since the commencement of this action, and that the parties have been informed of and the moving party has met the counseling requirements.

2. The petitioner in this action is: Peter Boyajian
Residence: 4920 South 68th Street, Milwaukee Wisconsin 53220
Birthdate: 4/4/28
Social Security No.: 723-03-7804
Occupation: Teacher
Income: Earnings/month: Gross \$ 2,500.00
Net \$ 1,400.00
after deducting federal and state income taxes, social security, and
Other income: _____

3. The respondent in this action is: Geraldine J. Boyajian
Residence: 723 Mantisque, South Milwaukee, Wisconsin 53172
Birthdate: 3/21/30
Social Security No.: 390-26-8021
Occupation: School Teacher
Income: Earnings/month: Gross \$ 2,100.00
Net \$ 1,500.00
after deducting federal and state income taxes, social security, and
Other income: _____

4. The parties were married on August 27, 1955, 19____, at Milwaukee,
Wisconsin.

5. (a) The following minor children have been born to or adopted by the parties.
Name Date of Birth
NONE

Specific responsibility for payment of their medical and dental expenses has been made (in the final stipulation/as adjudged herein).

(b) There are two emancipated children of this marriage.

(c) The wife is (not) pregnant and no other minor children were born to the (petitioner/respondent) during this marriage.

~~NAME~~

Name

Date of Birth

6. (a) Neither party has begun any other action for divorce, legal separation, or annulment anywhere. ~~XXXX~~

(b) Neither party has been previously divorced. ~~XXXX~~ Respondent was previously married but that marriage terminated by the death of her spouse.

~~7. The petitioner/respondent has not jointly or severally given the care and control of the minor child(ren) of the marriage and both parties agree this responsibility will be in the best interests of the child(ren).~~

8. The marriage is irretrievably broken because the parties have lived apart for more than one year.

9. The assets of the parties, their interests therein, the values thereof, and their encumbrances and debts are found to be (as set forth in the financial disclosure form(s) of (petitioner/respondent) which (was/were) updated as required by statute on the record and marked as (an) exhibit(s) at the time of trial, and (is/are)(on file herein/as set forth below:)

~~10. The parties have agreed to a stipulation of judgment for child support/family support in the amount of \$XXXXXXX.~~

11. The final stipulation which was entered into by the parties and appended hereto, is found to be fair and reasonable, is approved in its entirety, and is incorporated by reference as the judgment of this Court.

12.

CONCLUSIONS OF LAW AND JUDGMENT

13. Divorce

The marriage between the petitioner, Peter Boyajian who resides at 4920 South 68th Street, Milwaukee, Wisconsin 53220

and is by occupation a(n) teacher and the respondent, Geraldine J. Boyajian who resides at 723 Mantisque, South Milwaukee, Wisconsin 53172 and is by occupation a(n) teacher

is dissolved and the parties are divorced effective immediately ~~XXXXX parties are informed by the court that XXXX~~

Sec. 765.03(2)

It is unlawful for any person who is or has been a party to an action for divorce in any court in this State, or elsewhere, to marry again until 6 months after judgment of divorce is granted, and the marriage of any such person solemnized before the expiration of 6 months from the date of the granting of judgment of divorce shall be void.

~~14. Child custody and visitation~~

~~(a) In exercising sole or joint custody of the child(ren) of the marriage, the parent having visitation rights shall not deprive the other parent of the right to be heard by the court in any proceeding concerning the child(ren) of the marriage. The court shall determine the best interests of the child(ren) of the marriage and shall make such orders as it deems proper for the child(ren) of the marriage, including, but not limited to, the right to visitation and the right to custody of the child(ren) of the marriage.~~

~~(b) Any person who is or has been a party to an action for divorce in any court in this State, or elsewhere, shall not be held liable for any act or omission of the child(ren) of the marriage, including, but not limited to, the right to visitation and the right to custody of the child(ren) of the marriage, if such act or omission was committed by the child(ren) of the marriage.~~

~~(c) No person shall be held liable for any act or omission of the child(ren) of the marriage, including, but not limited to, the right to visitation and the right to custody of the child(ren) of the marriage, if such act or omission was committed by the child(ren) of the marriage.~~

~~(d) No person shall be held liable for any act or omission of the child(ren) of the marriage, including, but not limited to, the right to visitation and the right to custody of the child(ren) of the marriage.~~

*** (2) Entices away or takes away any child under the age of 18 from the parent or other person having legal custody under an order or judgment in an action for divorce, legal separation, annulment, custody, paternity, guardianship or habeas corpus with intent to take the child out of the state for the purpose of depriving the parent or other person of the custody of the child without the consent of such parent or other person, unless the court which awarded custody has consented that the child be taken out of the state by the person who so takes the child. The fact that joint custody has been awarded to both parents by a court does not preclude a court from finding that one parent has committed a violation of this subsection.

(3) Entices away, takes away or withholds for more than 12 hours beyond the court-approved visitation period any child under the age of 14 from a parent or other person having legal custody under an order or judgment in an action for divorce, legal separation, annulment, custody, paternity, guardianship or habeas corpus without the consent of the legal custodian, unless a court has entered an order authorizing the taking or withholding.

Sec. 946.715 Interference by parent with parental rights of other parent.

(1) Any parent, or any person acting pursuant to directions from the parent, who does any of the following is guilty of a Class E Felony:

- (a) Intentionally conceals a minor child from the child's other parent;
- (b) After being served with process in an action affecting marriage but prior to the issuance of a temporary or final order determining custody rights to a minor child, takes or entices the child outside of this state for the purpose of depriving the other parent of physical custody as defined in s.822.02(9); or
- (c) After issuance of a temporary or final order specifying joint custody rights, takes or entices a child under the age of 14 from the other parent in violation of the custody order.

(2) No person violates sub. (1) if the action:

- (a) Is taken to protect the child from imminent physical harm;
- (b) Is taken by a parent fleeing from imminent physical harm to himself or herself;
- (c) Is consented to by the other parent; or
- (d) Is otherwise authorized by law.

15. Maintenance/Support Payments

(a) All payments provided for herein shall commence on _____, and be made at the office of the clerk of this court at the courthouse, in the city and county aforesaid. Payments shall be recorded in an account established by the clerk of court. The clerk shall charge the account with the monthly amount as herein ordered.

(b) (Petitioner/ Respondent) shall pay to the clerk of court an annual sum of \$10 commencing January 1, next, pursuant to sec. 59.42(10)(b), Stats. The clerk of court is ordered to deduct the first \$10 received after January 1, next, and apply accordingly as a receiving and disbursing fee.

(c) Either party shall immediately notify the clerk of court if there is any change in address or employer within ten days of such change.

(d) The arrearage of record as found above is to be paid by the (respondent/petitioner) as follows:

16. Assignment of Income

Any party ordered to make payments herein shall assign commissions, earnings, salaries, wages and other income due or to be due in the future from his or her employer or successor employers to the clerk of the court where the action is filed as will be sufficient to meet the maintenance, child support or family support payments imposed by the court for the support of the spouse or minor children or both, and to defray arrearages in payments due at the time the assignment shall take effect. The assignment shall take effect upon application of the person receiving payments which states that the payer has failed to make in full a payment as established by the court within 20 days of the date the payment was due, and when the requirement of s.767.265(2) has been satisfied, or, at the court's discretion, may take effect immediately.

XX

17. Final Stipulation
The final stipulation of the parties dated May 17, 19 84 is ~~attached hereto~~ appended to this judgment, and incorporated by reference) and is made the judgment of the court except that said stipulation was amended at the time of trial as follows:

~~XX~~

~~XX~~

20. Attorney Fees

All payments of attorney's fees provided for herein shall be paid directly to the attorney who may enforce the order in (his/her) name.

21. Non-Compliance

Disobedience of the Court orders is punishable under Ch. 785 by commitment to the county jail or house of correction until such judgment is complied with and the costs and expenses of the proceedings are paid or until the party committed is otherwise discharged, according to law.

JUDGMENT IS HEREBY RENDERED AND THE CLERK IS ORDERED TO ENTER THIS JUDGMENT.

Dated at Milwaukee, Wisconsin, this SEP 17 1984 day of _____, 19_____

BY THE COURT;

[Signature]
Circuit Judge

Approved, August 24, 19 84

[Signature]
Attorney for (~~Plaintiff~~ Respondent)

Approved, _____, 19_____

Family Court Commissioner (if appeared)

JUDGMENT ENTERED

this _____ day of _____, 19_____

Clerk of Circuit Court

By _____
Deputy Clerk