

## **CONTESTED DIVORCE WITH MINOR CHILDREN PACKET**

This forms packet is designed to guide you in the preparation of your divorce papers. You must fill in the required information as it applies to your situation. Your papers should remain in the same order as they appear in this packet. If you do not have access to a typewriter, you may fill in the blanks by hand, in neat print, using BLACK ink.

You should fill in every blank line EXCEPT for the civil action file number blanks and the lines provided for signatures by the Notary Public and the Judge.

In the Complaint and the Settlement Agreement, there are some sections that have two possible answers, separated by an [OR]. In these sections, you must choose which of the two choices fits best in your situation, and then include only that choice in your documents. The other choice should be ignored, and should not be included in your documents.

Make sure that everything is signed. All signatures that require notarization must be notarized before your documents will be approved for filing.

**Court personnel are not allowed to answer any questions concerning the preparation of these forms. State Law O.C.G.A. §15-19-51 forbids court personnel to give legal advice.** Different situations may require special procedures and courthouse personnel cannot advise you on how to proceed or what forms may be necessary in specific situations. Divorce can be very complicated. The only person allowed to help you in the preparation of these forms is a licensed attorney. Please consult an attorney if you have questions about the procedure or what action is best for you to take.

### **YOU MAY NEED AN ATTORNEY IF:**

- The case is contested and your spouse has a lawyer.
- You cannot locate your spouse to serve him or her with your papers.
- You or your spouse has a house, pension, or large amount of property or income.
- You might lose custody of your children.
- You think you will have difficulty getting documents from your spouse about retirement funds, income, etc.
- Even if it is a friendly divorce, you should talk to a lawyer before you sign any settlement papers or file anything in court.

In the packets for marriages with children, there is a form called the Domestic Relations Financial Affidavit. Each party will have to have one of these forms filled out prior to the final hearing on the divorce.

If the Defendant has filed an acknowledgment of service, then each party must submit their Domestic Relations Financial Affidavit at the time the case is filed.

If the Defendant does not file an acknowledgement of service, and the Sheriff has to serve a copy of the complaint and summons on the Defendant, the Plaintiff must still file a copy of the Domestic Relations Financial Affidavit with his or her complaint. The Defendant should be served with a copy of the Domestic Relations Financial Affidavit along with the complaint and summons.

Remember, you must fully complete the forms before the Judge will be able to grant you a decree of divorce. Incomplete forms, as well as forms that are improperly filled out, may delay the grant of your divorce. Make sure that you take time to read over all the forms, and understand what is being asked of you in each situation.

IN THE SUPERIOR COURT OF \_\_\_\_\_ COUNTY  
STATE OF GEORGIA

\_\_\_\_\_, )  
Plaintiff, )  
v. ) Civil Action No. \_\_\_\_\_  
\_\_\_\_\_, )  
Defendant. )

**COMPLAINT FOR DIVORCE**

Plaintiff, \_\_\_\_\_ [Name], comes before  
this Court and shows this Court as follows:

1.

**Subject Matter Jurisdiction (Check only one: a or b)**

- ☐ a) Plaintiff is a resident of \_\_\_\_\_ County, Georgia, and has been a  
resident of Georgia for at least six months prior to the filing of this action.
- ☐ b) Plaintiff is not a resident of the State of Georgia, but Plaintiff's spouse has been a  
resident of the state of Georgia and the county of \_\_\_\_\_ for at least six (6)  
months prior to my filing this action.

2.

**Venue (Check only one: a, b, c, d, e or f)**

- ☐ a) Defendant is a resident of \_\_\_\_\_ County, Georgia, and has  
acknowledged service of the Complaint and Summons and has waived further service of process.
- ☐ b) Defendant is a resident of \_\_\_\_\_ County, \_\_\_\_\_ (state) and  
has signed an ACKNOWLEDGEMENT OF SERVICE AFFIDAVIT OF WAIVER OF VENUE  
AND PERSONAL JURISDICTION.

☐ c) Defendant is a resident of \_\_\_\_\_ County, Georgia and may be served at his/her residence/work address of:

\_\_\_\_\_.

☐ d) The Defendant is a resident of \_\_\_\_\_ County, Georgia but Defendant and I lived together in \_\_\_\_\_ County at the time we separated, Defendant has only moved from \_\_\_\_\_ County within the past six months from the date of this filing, and I am a resident of \_\_\_\_\_ County. Defendant shall be served by second original at his/her home/work address of

\_\_\_\_\_.

☐ e) The Defendant is a resident of Georgia, but his/her whereabouts are unknown to me as shown by my Affidavit of Due Diligence attached hereto and incorporated by reference, marked Exhibit A. The Defendant shall be served by publication as is provided by law in the case of those who cannot be found within the State pursuant to O.C.G.A. § 9-11-4(f)(1). The clerk shall mail a copy of the Notice, Order for Service by Publication, and Petition for Divorce to the last known address of Defendant, which is

\_\_\_\_\_.

within 15 days of the filing of the Order for Service by Publication.

☐ f) Defendant is not a resident of the State of Georgia, but I am a resident of \_\_\_\_\_ County Georgia and (Check 1, 2, 3 or 4)

1. ☐ The Defendant was formerly a resident of the State of Georgia and presently is a resident of the State of \_\_\_\_\_. Defendant may be served by a second original pursuant to the Long Arm Statute, O.C.G.A. §

9-10-91(5). Defendant may be served at the following address:

\_\_\_\_\_

2. ☐ The Defendant's whereabouts are unknown to me as shown by my Affidavit of Due Diligence, attached hereto and incorporated by reference, marked Exhibit A. The Respondent shall be served by publication as is provided by law in the case of those who cannot be found within the State pursuant to O.C.G.A. § 9-10-91(5). The clerk shall mail a copy of the Notice, Order for Service

3.

**Date of Marriage (Check only one: a or b)**

- ☐ a) Plaintiff and Defendant were lawfully married on \_\_\_\_\_ in \_\_\_\_\_ County, \_\_\_\_\_ (State).
- ☐ b) Plaintiff and Defendant are common law married, having entered into a common law marriage before January 1 1997 as of \_\_\_\_\_ in \_\_\_\_\_ County, \_\_\_\_\_ (State).

*Note: Common law marriage was abolished in Georgia in 1997.*

4.

**Date of Separation**

- ☐ The Defendant and I separated on \_\_\_\_\_ and have remained in a bona fide state of separation since that date.

5.

**Children born of the marriage**

- ☐ There are \_\_\_\_\_ minor children born of the marriage.

Name: \_\_\_\_\_ DOB: \_\_\_\_\_

Name: \_\_\_\_\_ DOB: \_\_\_\_\_

Name: \_\_\_\_\_ DOB: \_\_\_\_\_

Name: \_\_\_\_\_ DOB: \_\_\_\_\_

6.

**Grounds for Divorce (Check one or more grounds that you can prove)**

Plaintiff is entitled to a divorce from the Defendant upon the statutory grounds that:

☐ The marriage is **irretrievably broken** and there is no hope of reconciliation, under

O.C.G.A. § 19-5-3(13). [*This is the no-fault divorce provision.*]

☐ **Cruel Treatment.** My spouse committed the following acts of cruel treatment to me such that I am afraid he/she will hurt me in the future:

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☐ **Adultery.** My spouse has had sexual intercourse outside the marriage.

☐ **Desertion.** On or about \_\_\_\_\_ (date), my spouse, without just cause or reason, intentionally abandoned and deserted me for a period of at least one year as follows:

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☐ **Intermarriage.** My spouse and I are related as follows:

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☐ **Mental incapacity.** I did not have the mental capacity to enter into a marriage when we married because \_\_\_\_\_

☐ **Impotency.** My spouse was impotent at the time of our marriage, and I was not aware of this.

☐ **Force, menace, duress, fraud in obtaining the marriage.** I entered this marriage against my will as a result of \_\_\_\_\_

☐ **Pregnancy of the wife at the time of the marriage unknown to the husband.** I did not know that my spouse was pregnant by another man when we got married.

☐ **Conviction of party for an offense involving moral turpitude.** On or about \_\_\_\_\_, my spouse was sentenced to serve at least two years in the penitentiary for the following:

☐ **Habitual intoxication.** My spouse is repeatedly intoxicated.

☐ **My spouse has been adjudged mentally ill by a court of competent jurisdiction.** My spouse has been confined in an institution for the mentally ill for a period of at least two years immediately preceding this action. My spouse's mental illness has been determined to be incurable by competent examiners, and I have attached a certified statement that it is this person's opinion that my spouse is hopelessly and incurably mentally ill.

☐ **Habitual Drug Addiction.** My spouse is addicted to drugs as follows:

7.

**Alimony (Check only one: a, b or c)**

- ☐ a) I am seeking temporary alimony which will last until the date of the final decree of divorce. I did not engage in adultery, desertion, cruel treatment, or other fault grounds for divorce.
- ☐ b) I am seeking temporary and permanent alimony which will last until I remarry or until my former spouse or I should die. I did not engage in adultery, desertion, cruel treatment, or other fault grounds for divorce.
- ☐ c) I voluntarily waive alimony.

8.

**Marital Property (Check only one: a, b or c)**

- ☐ a) Defendant and I have no marital property.
- ☐ b) Defendant and I have already divided our marital property to our mutual satisfaction.
- ☐ c) Defendant and I have the following marital property that I have checked, and I am seeking an equitable division of this property.

☐ A house located at \_\_\_\_\_.  
A notice of Lis Pendens is attached hereto as Exhibit "\_\_\_\_\_."

☐ Pension(s): Mine \_\_\_\_\_ My spouse's \_\_\_\_\_.

☐ Motor vehicles (list make, model & year):

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- ☐ Furniture (list or attach list):

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- ☐ Bank accounts and investments (list or attach list)

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- ☐ Other: \_\_\_\_\_

9.

**Joint Debts (Check only one: a or b)**

- ☐ a) Defendant and I have no joint outstanding debts.
- ☐ b) Defendant and I have the following debts. I have indicated which party should be responsible for each debt. The responsible party will indemnify and hold harmless the non-responsible party for any collection on these obligations.

Creditor	Amount	Responsible Party

10.

**Name Restoration**

☐ My former name is \_\_\_\_\_, and I request that it be restored to me.

11.

**Child(ren)'s Past Living Arrangements**

For the past five years, the children lived at the following addresses with the following persons:

Address	Dates	Lived With

12.

**Other actions involving the children (Choose only one: a or b)**

*(Please tell the court about the following types of actions: custody, visitation, family violence, protective orders, termination of parental rights, and adoption.)*

☐ a) Plaintiff asserts that ☐ he/ ☐ she has not participated as a party or a witness or in any other capacity in any other litigation concerning the children named above, and knows of no proceeding concerning the minor children in this or any other state. No person other than the parties to this action has physical custody of the minor children or any claim to custody or visitation with the minor children.

- ☐ b) The minor children have been involved in the following actions:  
*(Please tell the court about the following types of actions: custody, visitation, family violence, protective orders, termination of parental rights, and adoption.)*

County/State/Court	Type of Custody Action	Date Filed	Status
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

13.

**Other Parties with a Custody Claim (Choose only one: a or b)**

- ☐ a) I know of no other person, not a party to this proceeding, who has physical custody of the children or claims to have custody or visitation rights with respect to the minor children.
- ☐ b) The following persons who are not a party to this proceeding have custody or visitation rights with the minor children:

Name	Claim
_____	_____
_____	_____
_____	_____

14.

**Child Custody (Choose only one: a, b or c)**

- ☐ a) Plaintiff and Defendant are both fit to share both temporary and permanent joint legal custody of the minor child(ren). It is in the best interest of the minor child(ren) for \_\_\_\_\_ to have primary physical custody. The

parties shall share decision making concerning the child (ren); however, in the event the parties cannot decide, the ☐ Husband/ ☐ Wife shall have the final decision concerning

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☐ b) It is in the best interest of the minor child(ren) for

\_\_\_\_\_ to have legal custody and \_\_\_\_\_ to have physical custody.

☐ c) It is in the best interest of the minor child(ren) for \_\_\_\_\_

to have both legal and physical custody because:

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15.

**Visitation (Choose only one: a or b)**

☐ a) Plaintiff requests that the Defendant be awarded visitation with the minor child(ren) as follows (or attach a schedule):

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- ☐ b) The proposed visitation schedule is attached as Exhibit “\_\_\_\_\_.”

16.

### **Child Support Amount**

Please go to <http://www.georgiacourts.org/csc/> and complete the Child Support Worksheet.

- ☐ The Husband/Wife shall pay to the Husband/Wife, as support of the minor child(ren), the sum of \$ \_\_\_\_\_ \* per ☐ week/ ☐ bi-weekly/ ☐ month, starting on \_\_\_\_\_, and continuing per ☐ week/ ☐ bi-weekly/ ☐ month thereafter until each respective child reaches the age of eighteen (18), or so long as the child is enrolled in and attending secondary school (not to exceed age twenty (20)), marries, dies, or becomes otherwise emancipated. The child support obligation shall be reduced as follows as each child becomes emancipated:
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\*This amount was derived from line 13 of the Child Support Worksheet, which is attached hereto as Exhibit 1.

17.

### **Child Support Method of Payment (Choose only one: a or b)**

- ☐ a) Plaintiff asks that all payments of child support shall be paid directly to the Plaintiff at the following address:
- 
- ☐ b) Plaintiff asks that all payments of child support shall be paid directly to the Plaintiff by the Defendant's employer via an income deduction order. The Plaintiff's address is:
- 
- ☐ c) Plaintiff asks that all payments of child support shall be paid to Georgia Child Support Enforcement pursuant to an Income Deduction Order.

18.

### **Health Insurance**

- ☐ The Plaintiff asks that \_\_\_\_\_ shall be required to maintain a policy of medical, dental, and hospitalization insurance for the benefit of the minor child(ren) for so long as the child support obligation set forth herein exists. The Plaintiff asks that costs not covered under the insurance policy shall be divided as follows:
- 
-

The Plaintiff asks that \_\_\_\_\_ shall provide ☐ him / ☐ her with an insurance identification card or such other acceptable proof of insurance coverage and shall cooperate with the Plaintiff in submitting claims under the policy.

WHEREFORE, Plaintiff respectfully requests:

- a) That the parties herein be totally divorced;
- b) That the Court grant temporary and permanent custody as requested in this matter;
- c) That the Court order an equitable division of property;
- d) That the Court award temporary and permanent alimony;
- d) That the court award an equitable division of the parties' property;
- e) That the court award the Plaintiff temporary use and possession of the formal marital residence located at \_\_\_\_\_.
- f) That the court award the Plaintiff temporary use and possession of the vehicle described as follows: \_\_\_\_\_.
- g) That the Plaintiff have such other and further relief as the Court deems equitable and just.

Respectfully submitted this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_,  
/S/ Plaintiff *pro se* [Sign here]

Address: \_\_\_\_\_

Telephone number(s): \_\_\_\_\_

### VISITATION SCHEDULE

The non-custodial parent is \_\_\_\_\_.

The custodial parent is \_\_\_\_\_.

The non-custodial parent shall be entitled to exercise reasonable visitation with the minor child with the following minimum provisions:

- A. On every 1<sup>st</sup>, 3<sup>rd</sup>, and 5<sup>th</sup> Friday at 6:00 p.m. until the following Sunday at 6:00 p.m.;
- B. During even numbered years (2008, 2010, etc.), the non-custodial parent shall have the right of visitation on the holidays delineated below:
  - 1. Martin Luther King's Birthday
  - 2. Memorial Day
  - 3. Labor Day
  - 4. Thanksgiving
  - 5. Second week of Christmas Vacation from 2:00 p.m. on December 25 until New Year's Eve.
- C. During odd numbered years (2009, 2011, etc.,) the non-custodial parent shall have the right of visitation on the holidays delineated below:
  - 1. New Year's Day
  - 2. Easter or Spring Break
  - 3. July 4<sup>th</sup>
  - 4. Halloween
  - 5. First Week of Christmas vacation, including Christmas Day until 2:00 p.m. on December 25.
- D. During even numbered years (2008, 2010, etc.), the custodial parent shall have the minor child on the holidays delineated below:
  - 1. New Year's Day
  - 2. Easter or Spring Break
  - 3. July 4<sup>th</sup>
  - 4. Halloween
  - 5. First week of Christmas vacation, including Christmas Day until 2:00 p.m. on December 25.
- E. During odd numbered years (2009, 2011, etc.), the custodial parent shall have the right of visitation on the holidays delineated below:
  - 1. Martin Luther King's Birthday
  - 2. Memorial Day
  - 3. Labor Day
  - 4. Thanksgiving
  - 5. Second week of Christmas vacation from 2:00 p.m. on December 25 until New Year's Eve.
- F. The Mother shall have the minor child on Mother's Day.
- G. The Father shall have the minor child on Father's Day.
- H. The non-custodial parent shall have the right to visit with the minor child for two consecutive weeks in the summer between June 15 and August 15. During this period, the custodial parent shall have the minor child on the first (1<sup>st</sup>) weekend from 6:00 p.m. Friday until 6:00 p.m. Sunday. The non-custodial parent shall give the custodial parent a minimum of thirty (30) days written notice of the intent to exercise this visitation.
- I. Holiday visitation shall take precedence over week-end visitation.

IN THE SUPERIOR COURT OF \_\_\_\_\_ COUNTY  
STATE OF GEORGIA

\_\_\_\_\_, )  
Plaintiff, )  
v. ) Civil Action No. \_\_\_\_\_  
\_\_\_\_\_, )  
Defendant. )

VERIFICATION

Personally appeared before me the undersigned who on oath states that the facts set forth  
in this Complaint are true and correct to the best of his/her knowledge and belief.

\_\_\_\_\_  
Plaintiff *pro se*  
[Sign in the presence of a Notary Public]

Sworn to and subscribed before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public, State of Georgia

My Commission Expires: \_\_\_\_\_

In the Superior Court of \_\_\_\_\_ County, Georgia

\_\_\_\_\_, Plaintiff  
vs. \_\_\_\_\_, Defendant  
Civil Action No. \_\_\_\_\_

**DOMESTIC RELATIONS FINANCIAL AFFIDAVIT OF PLAINTIFF**

1. AFFIANT'S NAME: \_\_\_\_\_ Age \_\_\_\_\_

Spouse's Name: \_\_\_\_\_ Age \_\_\_\_\_

Date of Marriage: \_\_\_\_\_ Date of Separation \_\_\_\_\_

Names and birth dates of children for whom support is to be determined in this action:

Name	Date of Birth	Resides with
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_____	_____	_____
_____	_____	_____
_____	_____	_____

Names and birth dates of affiant's other children:

Name	Date of Birth	<u>Resides with</u>
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_____	_____	_____
_____	_____	_____
_____	_____	_____

2. SUMMARY OF AFFIANT'S INCOME AND NEEDS

(a) Gross monthly income (from item 3A) \$ \_\_\_\_\_

(b) Net monthly income (from item 3C) \_\_\_\_\_

(c) Average monthly expenses (item 5A) \$ \_\_\_\_\_

Monthly payments to creditors + \_\_\_\_\_

Total monthly expenses and payments  
to creditors (item 5C) \_\_\_\_\_

(subsections (d) & (e) deleted)

**3. A. AFFIANT'S GROSS MONTHLY INCOME** (complete this section or attach Child Support Schedule A)

(All income must be entered based on monthly average regardless of date of receipt.)

Salary or Wages \$ \_\_\_\_\_  
ATTACH COPIES OF 2 MOST RECENT WAGE STATEMENTS

Commissions, Fees, Tips \$ \_\_\_\_\_

Income from self-employment, partnership, close corporations,  
and independent contracts (gross receipts minus ordinary  
and necessary expenses required to produce income) \$ \_\_\_\_\_  
ATTACH SHEET ITEMIZING YOUR CALCULATIONS

Rental Income (gross receipts minus ordinary and  
necessary expenses required to produce income) \$ \_\_\_\_\_  
ATTACH SHEET ITEMIZING YOUR CALCULATIONS

Bonuses \$ \_\_\_\_\_

Overtime Payments \$ \_\_\_\_\_

Severance Pay \$ \_\_\_\_\_

Recurring Income from Pensions or Retirement Plans \$ \_\_\_\_\_

Interest and Dividends \$ \_\_\_\_\_

Trust Income \$ \_\_\_\_\_

Income from Annuities \$ \_\_\_\_\_

Capital Gains \$ \_\_\_\_\_

Social Security Disability or Retirement Benefits \$ \_\_\_\_\_

Workers' Compensation Benefits \$ \_\_\_\_\_

Unemployment Benefits \$ \_\_\_\_\_

Judgments from Personal Injury or Other Civil Cases \$ \_\_\_\_\_

Gifts (cash or other gifts that can be converted to cash) \$ \_\_\_\_\_

Prizes/Lottery Winnings \$ \_\_\_\_\_

Alimony and maintenance from persons not in this case \$ \_\_\_\_\_

Assets which are used for support of family \$ \_\_\_\_\_

Fringe Benefits (if significantly reduce living expenses) \$ \_\_\_\_\_

Any other income (do NOT include means-tested Public assistance, such as TANF or food stamps) \$ \_\_\_\_\_

**GROSS MONTHLY INCOME** \$ \_\_\_\_\_

(prior section B deleted)

B. Affiant's Net Monthly Income from employment  
(deducting only state and federal taxes and FICA) \$ \_\_\_\_\_

Affiant's pay period (i.e., weekly, monthly, etc.) \_\_\_\_\_

Number of exemptions claimed \_\_\_\_\_

#### 4. ASSETS

(If you claim or agree that all or part of an asset is non-marital, indicate the non-marital portion under the appropriate spouse's column and state the amount and the basis: pre-marital, gift, inheritance, source of funds, etc.).

Description	Value	Separate Asset of the Husband	Separate Asset of the Wife	<u>Basis of the Claim</u>
Cash	\$ _____	_____	_____	_____
Stocks, bonds	\$ _____	_____	_____	_____
CD's/Money Market Accounts	\$ _____	_____	_____	_____
Bank Accounts (list each account):				
_____	\$ _____	_____	_____	_____
_____	\$ _____	_____	_____	_____
_____	\$ _____	_____	_____	_____
<u>Retirement Pensions, 401K, IRA, or Profit Sharing</u>	\$ _____	_____	_____	_____
Money owed you:	\$ _____	_____	_____	_____
<u>Tax Refund owed you:</u>	\$ _____	_____	_____	_____

Real Estate:

home: \$ \_\_\_\_\_

debt owed: \$ \_\_\_\_\_

other: \$ \_\_\_\_\_

debt owed: \$ \_\_\_\_\_

Automobiles/Vehicles:

Vehicle 1: \$ \_\_\_\_\_

debt owed: \$ \_\_\_\_\_

Vehicle 2: \$ \_\_\_\_\_

debt owed: \$ \_\_\_\_\_

Life Insurance

(net cash value): \$ \_\_\_\_\_

Furniture/furnishings: \$ \_\_\_\_\_

Jewelry: \$ \_\_\_\_\_

Collectibles: \$ \_\_\_\_\_

Other Assets: \$ \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_

**Total Assets:** \$ \_\_\_\_\_

5. A. AVERAGE MONTHLY EXPENSES

**HOUSEHOLD**

Mortgage or rent payments \$ \_\_\_\_\_ Cable TV \$ \_\_\_\_\_

Property taxes \$ \_\_\_\_\_ Misc. household and grocery  
Items \$ \_\_\_\_\_

Homeowner/Renter Insurance \$ \_\_\_\_\_ Meals outside the home \$ \_\_\_\_\_

Electricity \$ \_\_\_\_\_ Other \$ \_\_\_\_\_

Water \$ \_\_\_\_\_ **AUTOMOBILE**

Garbage and Sewer \$ \_\_\_\_\_ Gasoline and oil \$ \_\_\_\_\_

Telephone:		Repairs	\$ _____
<u>residential line:</u>	\$ _____	Auto tags and license	\$ _____
<u>cellular telephone:</u>	\$ _____	Insurance	\$ _____
Gas	\$ _____	<b><u>OTHER VEHICLES</u></b>	
		<b><u>(boats, trailers, RVs, etc.)</u></b>	
		<u>Gasoline and oil</u>	\$ _____
Repairs and maintenance:	\$ _____	<u>Repairs</u>	\$ _____
Lawn Care	\$ _____	<u>Tags and license</u>	\$ _____
Pest Control	\$ _____	<u>Insurance</u>	\$ _____

#### CHILDREN'S EXPENSES

Child care <u>(total monthly cost)</u>	\$ _____
School tuition	\$ _____
<u>Tutoring</u>	\$ _____
<u>Private lessons (e.g., music, dance)</u>	\$ _____
School supplies/expenses	\$ _____
Lunch Money	\$ _____
<u>Other Educational Expenses (list)</u>	
_____	\$ _____
_____	\$ _____
Allowance	\$ _____
Clothing	\$ _____
Diapers	\$ _____
Medical, dental, prescription <u>(out of pocket/uncovered expenses)</u>	\$ _____
Grooming, hygiene	\$ _____
Gifts <u>from children to others</u>	\$ _____

#### AFFIANT'S OTHER EXPENSES

Dry cleaning/laundry	\$ _____
Clothing	\$ _____
Medical, dental, <u>prescription</u> <u>(out of pocket/uncovered expenses)</u>	\$ _____
Affiant's gifts (special holidays)	\$ _____
Entertainment	\$ _____
<u>Recreational Expenses (e.g.,</u> <u>fitness)</u>	\$ _____
Vacations	\$ _____
<u>Travel Expenses for Visitation</u>	\$ _____
Publications	\$ _____
Dues, clubs	\$ _____
Religious and charities	\$ _____
<u>Pet expenses</u>	\$ _____
Alimony paid to former spouse	\$ _____
Child support paid <u>for other</u> <u>children</u>	\$ _____
Date of initial order:	_____

Entertainment \$ \_\_\_\_\_ Other (attach sheet) \$ \_\_\_\_\_

Activities (including extra-curricular, school, religious, cultural, etc.) \$ \_\_\_\_\_

Summer Camps \$ \_\_\_\_\_

**OTHER INSURANCE**

Health \$ \_\_\_\_\_  
    Child(ren)'s portion: \$ \_\_\_\_\_

Dental \$ \_\_\_\_\_  
    Child(ren)'s portion: \$ \_\_\_\_\_

Vision \$ \_\_\_\_\_  
    Child(ren)'s portion: \$ \_\_\_\_\_

Life \$ \_\_\_\_\_  
    Relationship of Beneficiary: \_\_\_\_\_

Disability \$ \_\_\_\_\_

Other(specify): \$ \_\_\_\_\_

**TOTAL ABOVE EXPENSES \$**

**B. PAYMENTS TO CREDITORS**

(please check one)

To Whom:	Balance Due	Monthly Payment	Joint	Plaintiff	Defendant

TOTAL MONTHLY PAYMENTS TO CREDITORS: \$ \_\_\_\_\_

**C. TOTAL MONTHLY EXPENSES:**

**\$** \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Affiant

[Sign in the presence of a Notary Public]

\_\_\_\_\_  
Notary Public

IN THE SUPERIOR COURT OF \_\_\_\_\_ COUNTY  
STATE OF GEORGIA

\_\_\_\_\_, )  
Plaintiff, )  
v. ) Civil Action No. \_\_\_\_\_  
\_\_\_\_\_, )  
Defendant. )

**FINAL JUDGMENT AND DECREE**

Upon consideration of this case, upon evidence submitted as provided by law, it is the judgment of the Court that a total divorce be granted, that is to say, a divorce a vinculo matrimonii, between the parties to the above stated case upon legal principles.

It is considered, ordered, and decreed by the Court that the marriage contract heretofore entered into between the parties to this case, from and after this date, be and is set aside and dissolved as fully and effectually as if no such contract had ever been made or entered into.

Petitioner and Respondent in the future shall be held and considered as separate and distinct persons altogether unconnected by any nuptial union or civil contract whatsoever and both shall have the right to remarry.

The Court restores to \_\_\_\_\_ her prior or maiden name, to wit:

\_\_\_\_\_.

The Court awards to \_\_\_\_\_

- ☐ temporary alimony in the amount of \$ \_\_\_\_\_ per \_\_\_\_\_.  
☐ permanent alimony in the amount of \$ \_\_\_\_\_ per \_\_\_\_\_.

The Court awards custody of the minor child(ren) as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Based on the evidence presented, including the Child Support Worksheet, Schedules "A" through "E," incorporated by reference, and specifically the Child Support Worksheet and Schedule "E" attached hereto, and where applicable, Special Interrogatories also attached hereto, the Court finds as follows:

1. Children for whom support is being determined:

Child	Date of Birth

2. (a) For purposes of Calculating Child Support, the Court Orders that the Custodial Parent shall be \_\_\_\_\_.

- (b) For purposes of Calculating Child Support the Court Orders that the Noncustodial Parent shall be \_\_\_\_\_.

- (c) The Court finds that the amount of the Noncustodial Parent's parenting time as set forth in the Order of Visitation is \_\_\_\_\_ days.

3. (a) The Court finds as set on Schedule "A," the gross income of the father is \$ \_\_\_\_\_.

- (b) The Court finds as set on Schedule "A," the gross income of the Mother is \$ \_\_\_\_\_.

4. (a) The Court finds as set on the "Child Support Worksheet" and Schedule "B," the Noncustodial Parent's Adjusted Income is \$ \_\_\_\_\_.

- (b) The Court finds as set on the "Child Support Worksheet" and Schedule "B," the Custodial Parent's Adjusted Income is \$ \_\_\_\_\_.

- (c) The Court finds as set on the "Child Support Worksheet" and Schedule "B," the Parties' Total Adjusted Income \$ \_\_\_\_\_.

5. The Court finds as set by the "Child Support Obligation Schedule Table" and as listed on the "Child Support Worksheet" the Basic Child Support Obligation is \$ \_\_\_\_\_.

6. (a) The Court finds as set on the "Child Support Worksheet," the Basic Child Support Obligation for the Custodial Parent is: \$ \_\_\_\_\_.

\_\_\_\_\_ %

(b) The Court finds as set on the "Child Support Worksheet," the Basic Child Support Obligation for the Noncustodial Parent is: \$ \_\_\_\_\_ %

7. The Court finds that health insurance that provides for the health care needs of the child ☐ is/ ☐ is not reasonably available at a reasonable cost. If provided, it will be provided by \_\_\_\_\_.

8. (a) The Court finds as set on the "Child Support Worksheet" and Schedule "D," the Presumptive Amount of Child Support for the Custodial Parent is \$ \_\_\_\_\_

(b) The Court finds as set on the "Child Support Worksheet" and Schedule "D," the Presumptive Amount of Child Support due to the Non-custodial Parent is \$ \_\_\_\_\_

(c) The Court finds as set on the "Child Support Worksheet" and Schedule "D," the Presumptive Amount of Child Support due to the Custodial Parent is \$ \_\_\_\_\_

9. The Court finds that the child receives benefits under Title II of the Federal Social Security Act on the obligor's account and the amount the child receives on a monthly basis is \$ \_\_\_\_\_

10. The Court has considered the existence of special circumstances and as set forth on the "Child Support Worksheet" and Schedule "E," has found the following special circumstances marked with an ["X"] to be present in this case.

*Note: Refer to Schedule "E" and, where applicable, "Special Interrogatories" attached hereto for an explanation for the reasons for the deviation, how the application of the Presumptive Amount of Child Support would have been unjust and how the best interest of the child for whom support is being determined will be served by a deviation from the Presumptive Amount of Child Support.*

- \_\_\_\_\_ A. High Income
- \_\_\_\_\_ B. Low Income
- \_\_\_\_\_ C. Other Health-Related Insurance
- \_\_\_\_\_ D. Life Insurance
- \_\_\_\_\_ E. Child and Dependent Care Tax Credit
- \_\_\_\_\_ F. Travel Expenses
- \_\_\_\_\_ G. Alimony
- \_\_\_\_\_ H. Mortgage
- \_\_\_\_\_ I. Permanent Plan or Foster Care Plan
- \_\_\_\_\_ J. Extraordinary Expenses

\_\_\_\_\_ K. Parenting Time

\_\_\_\_\_ L. Non-Specific Deviations (Other)

11. (a) The Court finds as set on the "Child Support Worksheet" the Final Amount of Child Support for the Custodial Parent is \$\_\_\_\_\_

(b) The Court finds as set on the "Child Support Worksheet" the Final Amount of Child Support for the Noncustodial Parent is \$\_\_\_\_\_

(c) The Court finds as set on the "Child Support Worksheet" the Final Amount of Child Support the Noncustodial Parent shall Pay the Custodial Parent is \$\_\_\_\_\_

12. (a) The Court finds as set on the "Child Support Worksheet" that the Custodial Parent's allocated Uninsured Health Care Expenses based on their pro rata responsibility is \$\_\_\_\_\_ %

(b) The Court finds as set on the "Child Support Worksheet" that the Noncustodial Parent's allocated Uninsured Health Care Expenses based on their pro rata responsibility is \$\_\_\_\_\_ %

The Noncustodial parent, \_\_\_\_\_, shall pay Child Support for each of the \_\_\_\_\_ minor child(ren) at \$\_\_\_\_\_ per month, for a total of \$\_\_\_\_\_ per month to the Custodial parent, starting \_\_\_\_\_, and continuing until each minor child reaches the age of majority, dies, marries, becomes emancipated, whichever first occurs, provided however, the Court, in the exercise of its sound discretion, directs (or does not direct) the Noncustodial Parent to continue to pay child support for a Child who has not previously married or become emancipated, who is enrolled in and attending a secondary school, and who has attained the age of majority before completing his or her secondary school education, until that child graduates from high school, or until the child attains \_\_\_\_\_ years of age (not to exceed 20 years), whichever first occurs.

The Court equitably divides the parties' marital property as follows:

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Each party is restrained and enjoined from molesting or harassing the other party.

SO ORDERED, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
JUDGE, Superior Courts

\_\_\_\_\_  
Judicial Circuit

IN THE SUPERIOR COURT OF \_\_\_\_\_ COUNTY

STATE OF GEORGIA

_____	)	
Plaintiff	)	CIVIL ACTION
v.	)	NO. _____
_____	)	
Defendant	)	

**INCOME DEDUCTION ORDER**

The above-styled matter was heard by the court on \_\_\_\_\_, 20\_\_\_\_. The \_\_\_\_\_ was properly served and present and represented by counsel. This court having entered an order requiring the \_\_\_\_\_ to pay child support to the \_\_\_\_\_, this Income Deduction Order is entered pursuant to O.C.G.A. § 19-6-32(a.1)(1).

- ☐ Defendant shall pay child support of \$ \_\_\_\_\_ ☐ weekly ☐ bi-weekly ☐ semi-monthly ☐ monthly with the next payment due on \_\_\_\_\_, 20\_\_\_\_.
- ☐ Defendant shall pay \$ \_\_\_\_\_ ☐ weekly ☐ bi-weekly ☐ semi-monthly ☐ monthly with the next payment due on \_\_\_\_\_, 20\_\_\_\_.
- ☐ The total amount to be withheld is \$ \_\_\_\_\_ ☐ weekly ☐ bi-weekly ☐ semi-monthly ☐ monthly. This amount shall be made payable to \_\_\_\_\_ and forwarded within two (2) business days of each payment date. Payments shall be made by cash, cashier's check, or money order, personally or by mailing it to: \_\_\_\_\_.

The maximum amount to be deducted shall not exceed the amounts allowed under § 303(b) of the Consumer Credit Protection Act, 15 U. S. C. § 1673(b), as amended. This order applies to current and subsequent employers and periods of employment, and may only be contested on the grounds of mistake of fact regarding the amount of support owed pursuant to a support order, the arrearage, or the identity of the obligor. The obligor shall notify the \_\_\_\_\_ within seven (7) days of any change of address, employer or employer's address. A copy of this order shall be served on the obligor and the employer.

- ☐ Other: \_\_\_\_\_
- This order shall become effective immediately upon signing and shall remain in full force and effect until modified, suspended, or terminated by order of this Court.

**SO ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
JUDGE, Superior Courts  
\_\_\_\_\_  
Judicial Circuit

Notice To: Employer or any other person, private entity, Federal or State Government, or any unit of local government providing or administering income due to Defendant

Re: Income Deduction Order

DATE: \_\_\_\_\_

Attached you will find an Income Deduction Order. Please read this order carefully and follow the instructions as written. If you have any questions you should contact your attorney.

Employers are required by law to deduct from income due and payable an employee the amount designated by the court to meet support obligations. Income includes wages, salary, bonuses, commissions, compensation as an independent contractor, workers' compensation, disability benefits, annuities and retirement benefits, pensions, dividends, royalties, or any other payment to an employee. FAILURE TO DEDUCT THE AMOUNT DESIGNATED BY THE COURT MAKES THE EMPLOYER LIABLE FOR THE AMOUNT THAT SHOULD HAVE BEEN DEDUCTED, PLUS COSTS, INTEREST AND REASONABLE ATTORNEYS' FEES.

Payments must begin no later than the first pay period after fourteen (14) days following the postmark of the notice. You are required to forward to the person or entity specified in the Income Deduction Order within two (2) days after each payment date the amount deducted from the employee's income and a statement as to whether the amount forwarded totally or partially satisfies the periodic amount specified in the Income Deduction Order.

This deduction has priority over all other legal processes under Georgia law pertaining to the same income and the payment required by the Income Deduction Order. It is a complete defense against any claims of the employee or the employee's creditors as to the sum paid.

Employers must continue to deduct the child support amount and send it to the person or entity specified in the Income Deduction Order until further notice by the Court or until the income is no longer provided to the employee. In the event the income is no longer provided, the employer is required to notify the person or entity specified in the Income Deduction Order immediately of such and to give the employee's last known address and to provide a name and address of any new employer of this employee if known. FAILURE TO DO THIS WILL RESULT IN A CIVIL PENALTY BEING IMPOSED, NOT TO EXCEED \$250.00 FOR THE FIRST VIOLATION OR \$500.00 FOR A SUBSEQUENT VIOLATION.

Employers may not discharge an employee by reason of the entry of an Income Deduction Order. If an employee is discharged because of this reason, A FINE OF NOT MORE THAN \$250.00 FOR THE FIRST VIOLATION AND \$500.00 FOR A SUBSEQUENT VIOLATION WILL BE IMPOSED AGAINST THE EMPLOYER.

Employers should contact their attorney if more than one Income Deduction Order is received against the same employee.

Employers may send a single payment if multiple employees have Income Deduction Orders to pay to the same depository provided the amount attributed to each employee is identified.

An employer may collect up to \$25.00 against the employee's income to reimburse for the administrative costs of the first income deduction and up to \$3.00 for each subsequent income deduction.

IN THE SUPERIOR COURT OF \_\_\_\_\_ COUNTY  
STATE OF GEORGIA

\_\_\_\_\_  
Plaintiff

v.

\_\_\_\_\_  
Defendant

\*  
\*  
\*  
\*  
\*  
\*  
\*

Civil Action File No. \_\_\_\_\_

**PARENTING PLAN**

This plan has been proposed by \_\_\_\_\_. The proposing party affirms the accuracy of the information provided, as shown by their signature at the end of this proposed plan. This information has been furnished in furtherance of the requirements of OCGA Section 19-9-1.

[If this is a proposed parenting plan, it shall be filed at the time of filing any complaint or answer, and in any event, not less than 10 days before any hearing, and not less than 15 days before any final hearing with copy to opposing counsel/party.]

This plan ☐ is a new plan.  
☐ modifies an existing Parenting Plan dated \_\_\_\_\_.  
☐ modifies an existing Order dated \_\_\_\_\_.

Child's Name	Date of Birth

**INSTRUCTIONS FOR PROPOSED PLANS WHEN CUSTODY OR VISITATION IS DISPUTED**

Where custody and/or visitation is disputed, the parties should provide the following:

1. Each parent shall attach a schedule of their own employment hours for the last year and as far into the future as shall be reasonably predictable, and
2. Shall attach a schedule of the hours of proposed day care utilization identifying the provider including extended family or support group (neighbors, church, etc). (Break out school and summer where applicable.)
3. Attach documentation for any medical conditions of the child or the parent that are relevant to the custody/visitation decision.
4. If home schooling or other special education provisions are proposed, credentials of educator or institution proposed shall be attached.
5. Attach to the proposed plan a schedule for the school district (or private

- school) where it is proposed the child will be enrolled for as far into the future as the district provides.
6. Where the parties propose split custody attach a detailed explanation of how split custody will be in the best interest of each child and the children, collectively. Include any Guardian ad Litem (GAL), psychological or other recommendations any elections of children over 14.
  7. If supervised visitation is sought, a statement of reasons for such a request shall be attached to the proposed plan.
  8. Each party shall attach an affidavit affirming or denying the existence of criminal convictions, family violence orders and child welfare investigations concerning affiant as to these or any other parties. If such exists, the affidavit shall identify every criminal conviction of their own, family violence order and Child Welfare (DFACS) investigation or safety plan concerning affiant as to these or any other parties.

**I. Custody and Decision Making:**

**a. Legal Custody shall be (choose one):**

- ☐ With the Mother  
☐ With the Father  
☐ Joint

**b. Primary Physical Custodian**

For each of the children named below the primary physical custodian shall be:

Child's Name	Date of Birth	Mother	Father	Joint
		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

IF "SPLIT" CUSTODY IS PROPOSED, EACH PARTY SHALL SUBMIT NOT LESS THAN THREE SEPARATE CHILD SUPPORT WORKSHEETS – TWO FOR THE "SPLIT" PROPOSAL AND ONE FOR THE "NON-SPLIT" PROPOSAL.

WHERE JOINT PHYSICAL CUSTODY IS CHOSEN BY THE PARENTS OR ORDERED BY THE COURT, A DETAILED PLAN OF THE LIVING ARRANGEMENTS OF THE CHILD(REN) SHALL BE ATTACHED AND MADE A PART OF THIS PARENTING PLAN.

**c. Day-to-Day Decisions**

Each parent shall make decisions regarding the day-to-day care of a child while the child is residing with that parent, including any emergency decisions affecting the health or safety of a child.

**d. Major Decisions**

If major decisions regarding each child are divided, the responsibilities of each parent are as follows: ☐ N/A or ☐ division of responsibilities: \_\_\_\_\_.

**e. Disagreements**

Where parents have elected joint decision making in Section I.d above, please explain how any disagreements in decision-making will be resolved. ☐ mediation ☐ arbitration ☐ other: \_\_\_\_\_.

**II. Parenting Time/Visitation Schedule**

**a. Parenting Time/Visitation**

During the term of this parenting plan the non-custodial parent shall have at a minimum the following rights of parenting time/visitation (choose an item):

- ☐ The weekend of the first and third Friday of each month.
- ☐ The weekend of the first, third and fifth Friday of each month.
- ☐ The weekend of the second and fourth Friday of each month.
- ☐ Every other weekend starting on \_\_\_\_\_  
Each \_\_\_\_\_ starting at \_\_\_\_\_ and ending \_\_\_\_\_
- ☐ Other: \_\_\_\_\_

For purposes of this parenting plan, a weekend will start at \_\_\_\_\_  
\_\_\_\_\_ on \_\_\_\_\_ and end at \_\_\_\_\_  
on \_\_\_\_\_.

This parenting schedule begins: ☐ \_\_\_\_\_ (enter date) or ☐ date of the Court's Order.

**b. Major Holidays and Vacation Periods**

**Thanksgiving**

The day to day schedule shall apply unless other arrangements are set forth: \_\_\_\_\_.

**Winter Vacation**

The \_\_\_\_\_ shall have the child(ren) for the first period from the day and time school is dismissed until December \_\_\_\_\_ at \_\_\_\_\_ in ☐ odd numbered years ☐ even numbered years ☐ every year. The other parent will have the child(ren) for the second period from the day and time indicated above until 6:00 p.m. on the evening before school resumes. Unless otherwise indicated, the parties shall alternate the first and second periods each year father with odd numbered years and mother with even numbered years.

Other agreement of the parties: \_\_\_\_\_

**Summer Vacation**

Define summer vacation period: \_\_\_\_\_.

The day to day schedule shall apply unless other arrangements are set forth:

\_\_\_\_\_.

**Spring Vacation (if applicable)**

Define spring vacation period: \_\_\_\_\_.

The day to day schedule shall apply unless other arrangements are set forth:

\_\_\_\_\_.

**Fall Vacation (if applicable)**

Define fall vacation period: \_\_\_\_\_.

The day to day schedule shall apply unless other arrangements are set forth:

\_\_\_\_\_.

**c. Other Holiday Schedule (if applicable)**

*Indicate if child(ren) will be with the parent in ODD or EVEN numbered years or indicate EVERY year:*

*In addition to the birthdays of the parties and the children the holidays affected by visitation are described below:*

Holiday/Event	Mother	Father
Child(ren)'s Birthday(s)		
Mother's Birthday		
Father's Birthday		
Other:		
Other:		
Other:		
Other:		
Other:		
Other:		
Other:		
Other:		

**d. Other extended periods of time during school, etc. (refer to the school schedule).**

\_\_\_\_\_.

**e. Start and end dates for holiday visitation**

For the purposes of this parenting plan, the holiday will start and end as follows (choose one):

- ☐ Holidays that fall on Friday will include the following Saturday and Sunday
- ☐ Holidays that fall on Monday will include the preceding Saturday and Sunday
- ☐ Other:

**f. Coordination of Parenting Schedules**

Check if applicable

- ☐ The holiday parenting time/visitation schedule takes precedence over the regular parenting time/visitation schedule.
- ☐ When the child(ren) is/are with a parent for an extended parenting time/visitation period (such as summer), the other parent shall be entitled to visit with the

child(ren) during the extended period, as follows: \_\_\_\_\_.

**g. Transportation Arrangements**

Unless otherwise agreed between the parties, the delivering parent will be responsible for transportation of the child.

The delivering party will be responsible for costs in connection with the delivery: \_\_\_\_\_.

Other provisions: \_\_\_\_\_.

**h. Contacting the Child**

When the child or children are in the physical custody of one parent, the other parent will have the right to contact the child or children as follows:

- ☐ Telephone
- ☐ Other: \_\_\_\_\_.
- ☐ Limitations on Contact: \_\_\_\_\_.

**i. Restrictions on Parenting Time (if applicable)**

- ☐ Check here if applicable.  
Parenting time shall be restricted as follows (state with specificity persons, places, activities or other to or from which restrictions apply: \_\_\_\_\_.

State enforcement provisions, including but not limited to supervision, and if supervision by whom or what agency: \_\_\_\_\_.

Responsibility for Cost: ☐ Mother ☐ Father ☐ Both Equally

**Communication Restrictions (if applicable)**

- ☐ Check here if applicable.

Please check:

- ☐ Each parent shall promptly notify the other parent of a change of address, phone number or cell phone number. A parent changing residence must give at least 30 days advance notice of the change and provide the full address of the new residence.
- ☐ Due to prior acts of family violence, the address of the child(ren) and victim of family violence shall be kept confidential. The protected parent shall promptly notify the other parent, through a third party, of any change in contact information necessary to conduct visitation.

**III. Access to Records and Information**

**Rights of the Parents**

Absent agreement to limitations or court ordered limitations, pursuant to O.C.G.A. § 19-9-1 (b) (1) (D), both parents are entitled to access to all of the child(ren)'s records and information, including, but not limited to, education, health,

extracurricular activities, and religious communications. Designation as a non-custodial parent does not affect a parent's right to equal access to these records.

Limitations on access rights: \_\_\_\_\_.

Other Information Sharing Provisions: \_\_\_\_\_.

#### **IV. Modification of Plan or Disagreements**

Parties may, by mutual agreement, vary the parenting time/visitation; however, such agreement shall not be a binding court order, nor shall it constitute a defense for contempt unless agreed on in writing. Custody shall only be modified by court order.

Should the parents disagree about this parenting plan or wish to modify it, they must make a good faith effort to resolve the issue between them.

#### **V. Special Considerations**

Please attach an addendum detailing any special circumstances of which the Court should be aware (e.g., health issues, educational issues, etc.)

#### **VI. Parental Acknowledgement**

Please review the following and initial:

1. I recognize that a close and continuing parent-child relationship and continuity in the child's life is in the child's best interest.

Mother's Initials: \_\_\_\_\_ Father's Initials: \_\_\_\_\_

2. I recognize that our child's needs will change and grow as the child matures; I have made a good faith effort to take these changing needs into account so that the need for future modifications to the parenting plan are minimized.

Mother's Initials: \_\_\_\_\_ Father's Initials: \_\_\_\_\_

3. I recognize that the parent with physical custody will make the day-to-day decisions and emergency decisions while the child is residing with such parent.

Mother's Initials: \_\_\_\_\_ Father's Initials: \_\_\_\_\_

☐ I, the undersigned party, affirm that the information I have provided with this proposal is true and correct.

\_\_\_\_\_  
Father's Signature

\_\_\_\_\_  
Mother's Signature

\_\_\_\_\_ County  
Civil Action File Number \_\_\_\_\_

**ORDER**

The Court has reviewed the foregoing Parenting Plan, and it is hereby made the Order of this Court.

SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
**JUDGE**, Superior Courts  
\_\_\_\_\_ Judicial Circuit

IN THE SUPERIOR COURT OF Wilkinson COUNTY  
OCMULGEE JUDICIAL CIRCUIT  
STATE OF GEORGIA

\_\_\_\_\_  
Plaintiff/Petitioner

v.

\_\_\_\_\_  
Defendant/Respondent.

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\*  
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\*  
\*  
\*  
\*  
\*

CIVIL ACTION NO. \_\_\_\_\_

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**DOMESTIC RELATIONS STANDING ORDER AND NOTICE REQUIREMENT**

Pursuant to O.C.G.A. § 19-1-1(b), this Standing Order shall bind the parties in the above-styled action, their agents, servants, employees, and all other persons acting in concert with the parties in all domestic relations cases filed in this Court until and unless this Standing Order is specifically modified or superseded by further order of this Court. The **PARTY FILING THE ACTION** shall complete the above required information by inserting the names of the parties and the case number and shall file the order in the case. In cases where service is by acknowledgment, the **PARTY FILING THE ACTION** shall attach a copy of this order to the original complaint and give or mail a copy of the filed order to the opposing side.

1.

Each party is hereby enjoined and restrained from doing or attempting to do or threatening to do any act which injures, maltreats, vilifies, molests, or harasses or which may, upon judicial determination, constitute threats, harassment, or stalking the adverse party or the child or children of the parties or any act which constitutes a violation of other civil or criminal laws of this state.

2.

Each party is encouraged to refrain from making derogatory comments regarding any other party in the presence of the minor child or children of any party. Moreover, each party is discouraged from making any statement or taking any action which may unnecessarily place the minor child or children of any party "in the middle" of this divorce action (e.g., having a child deliver messages to another party regarding legal proceedings or sending child support payments to another party by a child, etc.). Each party shall be mindful of the routine of the minor child or children of the parties. No party shall change the day care or school, or the day care or school routine for the minor child or children other than to the extent the separation of the parties or other circumstances absolutely necessitate such a change. Each party is encouraged to continue all regularly scheduled extracurricular activities of the minor child or children.

3.

Each party is enjoined and restrained from unilaterally causing or permitting the minor child or children of the parties to be removed from the State of Georgia other than in the ordinary course of family activities, except in the event of an emergency. In non-emergency situations, the parent causing or permitting the minor child or children to leave the state in the ordinary course of a family activity shall convey to the other parent in writing the specific date(s), specific location(s), and contact information (including address(es) and phone number(s)) for the child or children while they are outside the state.

4.

Each party is hereby enjoined and restrained from selling, encumbering, trading, contracting to sell, or otherwise disposing of or removing from the State of Georgia any of the property belonging to the parties except in the ordinary course of business or except in an emergency.

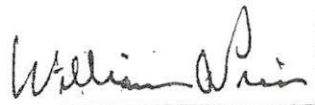
5.

Each party is hereby enjoined and restrained from making any change to any policy of insurance (health, life, automobile, homeowner's or any other type of insurance) in force of being maintained at the time of the filing of this action without the express written consent of the other party.

6.

Each party is hereby advised that failure to follow any provision of this Standing Order unless substantially justified, may result in sanctions or penalties as provided by statute, rule or authority of the Court, including a finding of contempt by the Court; taxation of costs or attorney's fees; and/or the imposition of monetary or other sanctions.

SO ORDERED, this 24<sup>th</sup> day of March, 2017.



The Honorable William A. Prior, Jr.  
Chief Judge, Ocmulgee Judicial Circuit

• AFFIDAVIT FOR PERSONS FILING DIVORCE CASE WITHOUT AN ATTORNEY

STATE OF GEORGIA

COUNTY OF \_\_\_\_\_

Personally appeared before the undersigned officer, \_\_\_\_\_, (affiant) who, after being duly sworn, deposes and states under oath the following:

1. That affiant has this date filed a suit for divorce in this county and does not have any attorney at law representing affiant.

2. Affiant further states that the following person prepared the petition:

\_\_\_\_\_  
Name of Person

\_\_\_\_\_  
Address of Person

\_\_\_\_\_  
Phone number

3. Affiant states that said person who prepared the petition was/was not paid to prepare the papers. The total amount paid was \$ \_\_\_\_\_.

4. Affiant states that there is/is not any further money due anyone for assisting in the preparation of said divorce papers. If affiant owes money to the preparer, the amount is \$ \_\_\_\_\_/

5. Affiant has not paid or given anyone any other consideration or money for help in preparing the divorce papers, except the following: \_\_\_\_\_.

6. Did the preparer of the divorce papers tell you what information, or given you advice regarding the information to put in your divorce papers? YES / NO (Circle one.)

7. Did the preparer give you any advice about how to file your papers? YES / NO (Circle one.)

8. Did the preparer give you any advice about how to present your case to the judge? YES / NO (Circle one.)

9. Are you willing to discuss this matter with a State Bar of Georgia investigator? YES / NO (Circle one.)

I have answered all the above questions truthfully, under penalties of perjury.

Sworn to and subscribed before me this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Clerk/Deputy Clerk  
\_\_\_\_\_  
County Superior Court

\_\_\_\_\_  
Affiant

\_\_\_\_\_  
Address (required)

\_\_\_\_\_  
Phone Number (required)

## INFORMATION SHEET FOR PRO SE LITIGANTS

Wilkinson COUNTY

It is advisable to have an attorney when filing legal papers to be sure that your rights are protected and that all the procedures are correctly followed. Courthouse personnel are prohibited by State Law O.C.G.A. 15-19-51 from giving ANY legal advice. Different situations may require special procedures and courthouse personnel CANNOT advise you on how to proceed or what forms may be necessary in specific situations.

You may need an attorney if:

- The case is contested and your spouse has a lawyer.
- You cannot locate your spouse to serve him/her with your papers.
- You and your spouse have a house, pension, or large amount of property or income.
- You might lose custody of your children.
- You think you will have difficulty getting documents from your spouse about retirement funds, income, et cetera.
- Even if it is a friendly divorce, you should talk to a lawyer before you sign any settlement papers or file anything in court.

If there is any question in your mind concerning the forms that you are filing, or your legal rights, it is strongly recommended that the services of an attorney be obtained. If you do not know an attorney, you may refer to the Yellow Pages under "attorney". If you are financially unable to afford the services of an attorney, you may contact the Georgia Legal Services Program to see if you are eligible for their services. You may find the number for your area in the Yellow Pages.

Due to the changing nature of the law, some of the forms available to the public for use in filing a divorce without an attorney may be outdated. It is a requirement of this circuit that you utilize the divorce packet available in the Clerk's Office of each county in the Ocmulgee Judicial Circuit. Those counties are as follows: Baldwin, Greene, Hancock, Jasper, Jones, Morgan, Putnam and Wilkinson. In no event will the Clerk of Superior Court of any Ocmulgee Judicial Circuit county or their personnel be liable for any indirect or consequential damages resulting from the filing of your pro se forms. Any desired outcome in your case cannot be predicted or guaranteed by any court personnel.

Your divorce packet will be filed in the Clerk's office once the appropriate filing and/or service fees are paid. If you have children under the age of 18, please see the information at the bottom of this form regarding the "Children Cope with Divorce" seminar. All parties with children under age 18 in most civil actions (divorce, legitimation, et cetera) where children are involved are REQUIRED to attend within 30 days of service upon the defendant.

The Ocmulgee Judicial circuit requires the use of the forms that can be obtained at each individual Clerk's Office. However, at the time of your hearing, a judge may advise that there is something incorrect regarding the paperwork, i.e. jurisdiction, missing paperwork, et cetera. If that happens, it could necessitate re-filing, filing in another county or state, transfer to another county and would require additional fees.

If you have decided to represent yourself in a divorce case in Wilkinson County Superior Court, we have a specific set of forms required to be utilized in this circuit. However, due to the

complexity of the law and rules and procedures that must be followed, you may require professional legal representation. We strongly recommend that you discuss your case with an attorney. **YOU ARE RESPONSIBLE FOR THE ACCURACY OF YOUR DOCUMENTS.**

Helpful Reminders:

- o Speak with an attorney if you are uncertain about what you are doing.
- o Read all instructions carefully.
- o Sign your name on the documents in front of a notary public. We do not have a notary in this office. Documents must be signed before filing here.
- o Are you filing in the correct county? The Superior Court of Wilkinson County.
- o Are you using the Wilkinson County Sheriff's Department for service of process? The fee for service is \$50.00. If service is out of county, you will have to make the appropriate arrangements with that Sheriff's Department.
- o Research the law that pertains to your divorce petition.
- o Fill in only those things that apply to your situation.
- o Keep copies of everything you file for your records.
- o Check your petition for accuracy.
- o File your petition in the Clerk's office. The filing fee is \$200.00.

ALL FORMS REQUIRED MUST BE SUBMITTED FOR FILING, OR THE DIVORCE MAY NOT BE GRANTED.

By signing below, I acknowledge that I have been given a copy of this document, and that I understand that by filing pro se, I am acting as my own attorney.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone Number

PRO SE INFORMATION SHEET		
Plaintiff's Name*	Address*	Phone Numbers*
		Home:
		Work:
		Cell:
Additional Contact	Address	Phone Numbers
		Home:
		Work:
		Cell:
Defendant's Name*	Address*	Phone Numbers*
		Home:
		Work:
		Cell:
Additional Contact	Address	Phone Numbers
		Home:
		Work:
		Cell:

All fields marked with an asterick (\*) are required to be filled in.

#### NOTICE

(Please read very carefully.)

This sheet is a requirement and must be filed with your Petition. Without this sheet, the Court has no way to contact regarding your case, and can be used to contact you in the event any correspondence or calendar is returned.

If a trial calendar is returned because of an insufficient address, there is a possibility that your case could be dismissed due to your failure to appear.

It is your responsibility to notify the Court immediately if you move or any of your contact information changes. It is not the responsibility of the Court to obtain any new information. We will only use the information supplied to us by you.

# General Civil and Domestic Relations Case Filing Information Form

☐ Superior or ☐ State Court of \_\_\_\_\_ County

For Clerk Use Only	
Date Filed _____ MM-DD-YYYY	Case Number _____

Plaintiff(s)

Defendant(s)

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Plaintiff's Attorney \_\_\_\_\_ Bar Number \_\_\_\_\_ Self-Represented ☐

Check One Case Type in One Box

General Civil Cases	
<input type="checkbox"/>	Automobile Tort
<input type="checkbox"/>	Civil Appeal
<input type="checkbox"/>	Contract
<input type="checkbox"/>	Garnishment
<input type="checkbox"/>	General Tort
<input type="checkbox"/>	Habeas Corpus
<input type="checkbox"/>	Injunction/Mandamus/Other Writ
<input type="checkbox"/>	Landlord/Tenant
<input type="checkbox"/>	Medical Malpractice Tort
<input type="checkbox"/>	Product Liability Tort
<input type="checkbox"/>	Real Property
<input type="checkbox"/>	Restraining Petition
<input type="checkbox"/>	Other General Civil

Domestic Relations Cases	
<input type="checkbox"/>	Adoption
<input type="checkbox"/>	Dissolution/Divorce/Separate Maintenance
<input type="checkbox"/>	Family Violence Petition
<input type="checkbox"/>	Paternity/Legitimation
<input type="checkbox"/>	Support - IV-D
<input type="checkbox"/>	Support - Private (non-IV-D)
<input type="checkbox"/>	Other Domestic Relations

Post-Judgment - Check One Case Type	
<input type="checkbox"/>	Contempt
<input type="checkbox"/>	Non-payment of child support, medical support, or alimony
<input type="checkbox"/>	Modification
<input type="checkbox"/>	Other/Administrative

☐ Check if the action is related to another action(s) pending or previously pending in this court involving some or all of the same parties, subject matter, or factual issues. If so, provide a case number for each.

Case Number \_\_\_\_\_

Case Number \_\_\_\_\_

☐ I hereby certify that the documents in this filing, including attachments and exhibits, satisfy the requirements for redaction of personal or confidential information in O.C.G.A. § 9-11-7.1.

☐ Is an interpreter needed in this case? If so, provide the language(s) required. \_\_\_\_\_  
Language(s) Required

☐ Do you or your client need any disability accommodations? If so, please describe the accommodation request.

# General Civil and Domestic Relations Case Disposition Information Form

☐ Superior or ☐ State Court of \_\_\_\_\_ County

For Clerk Use Only	
Date Disposed MM-DD-YYYY	Case Number Case Style

## Plaintiff(s)

Last	First	Middle I.	Suffix	Prefix

## Defendant(s)

Last	First	Middle I.	Suffix	Prefix

Reporting Party \_\_\_\_\_

Plaintiff's Attorney \_\_\_\_\_

Bar Number \_\_\_\_\_ Self-Represented ☐

Defendant's Attorney \_\_\_\_\_

Bar Number \_\_\_\_\_ Self-Represented ☐

## Manner of Disposition

### Check Only One

- ☐ Jury Trial
- ☐ Bench/Non-Jury Trial
- ☐ Non-Trial Disposition
- ☐ Alternative Dispute Resolution

- ☐ Check if any party was self-represented at any point during the life of the case.
- ☐ Check if the court ordered an interpreter for any party, witness, or other involved individual.
- ☐ Was the case referred/ordered to a court-annexed alternative dispute resolution (ADR) process?



REPORT OF DIVORCE, ANNULMENT OR DISSOLUTION OF MARRIAGE • FORM 3907  
(REVISED 12/2016)

PLEASE PRINT OR TYPE ALL INFORMATION LEGIBLY AND CORRECTLY BELOW.

REQUIRED INFORMATION							
CIVIL ACTION NUMBER		DATE DECREE GRANTED (MONTH, DAY, YEAR)		COUNTY DECREE GRANTED			
FIRST NAME OF PARTY 1		MIDDLE NAME		LAST NAME		LAST NAME AT BIRTH	
DATE OF BIRTH (MONTH, DAY, YEAR)		COUNTY OF RESIDENCE		NUMBER OF THIS MARRIAGE (FIRST, SECOND, ETC.)			
FIRST NAME OF PARTY 2		MIDDLE NAME		LAST NAME		LAST NAME AT BIRTH	
DATE OF BIRTH (MONTH, DAY, YEAR)		COUNTY OF RESIDENCE		NUMBER OF THIS MARRIAGE (FIRST, SECOND, ETC.)			
SPECIFY GROUNDS FOR DIVORCE (19-5-3, OCGA)				NUMBER OF CHILDREN LESS THAN 18 AFFECTED BY THIS DECREE			

This above Report may be reproduced by use of a computer. However, the finished Report must be a close reproduction of the original, and prior review and approval must be obtained from the State Registrar before use. (31-10-7, O.C.G.A.)

31-10-22. Record of divorce, dissolutions, and annulments.

(a) A record of each divorce, dissolution of marriage, or annulment granted by any court of competent jurisdiction in this state shall be filed by the clerk of the court with the department and shall be registered if it has been completed and filed in accordance with this Code section. The record shall be prepared by the petitioner or the petitioner's legal representative on a form prescribed and furnished by the state registrar and shall be presented to the clerk of the court with the petition. In all cases, the completed record shall be a prerequisite to the granting of the final decree.

(b) The clerk of the superior court shall complete and forward to the department on or before the tenth day of each calendar month the records of each divorce, dissolution of marriage, or annulment decree granted during the preceding calendar month.

PLEASE ADDRESS ALL CORRESPONDENCE TO THE ADDRESS BELOW.  
STATE OFFICE OF VITAL RECORDS | 1680 PHOENIX BLVD. SUITE 100, ATLANTA, GA 30349 | PHONE 404.679.4702,

IN THE SUPERIOR COURTS OF THE OCMULGEE JUDICIAL CIRCUIT

STATE OF GEORGIA

RE: SEMINAR FOR DIVORCING PARENTS

ORDER

FILED IN OFFICE THIS  
13 DAY OF Jan  
1999 AT 9:00 AM  
Clerk of Superior Court  
WILLIAMSON COUNTY, GEORGIA

Pursuant to the inherent powers of this court in order to provide for the speedy, efficient, and inexpensive resolution of disputes, it is hereby ordered:

**Section 1:** This order applies to all parties with minor children (under the age of 18) in all divorce, separate maintenance, paternity, change of custody, child support, visitation, legitimation and other domestic relations actions as may be otherwise ordered by the Court, excluding domestic violence actions, U.R.E.S.A. and CSEA cases, uncontested visitation modifications, uncontested child support modifications, and uncontested change of custody cases. This order applies to the actions as stated above on or after January 1, 1999.

**Section 2:** It is hereby ordered that all parties shall successfully complete the program entitled "Seminar for Divorcing Parents". This four hour educational seminar focuses on the developmental needs of children, with emphasis on fostering the child's emotional health during periods of stress. The program is informative, supportive and directs people desiring additional information or help to appropriate resources. Topics covered include: 1) developmental stages of childhood; 2) reactions of children to divorce, generally and at specific ages; 3) how divorce affects families; 4) grief processes and coping skills; 5) roles of divorced parents; 6) co-parenting skills; 7) financial obligations of parents; and 8) mediation as a tool to resolve domestic disputes.

**Section 3:** Attendance is required of all parties to a case where the interests of children under 18 are involved. The seminar must be successfully completed within 31 days of service of the original complaint upon the defendant. The Court's action on a petition will not be delayed by a non-moving or responding party's refusal or delay in completing the seminar. Upon a party's failure to successfully complete the seminar pursuant to this Order, the assigned Judge may take appropriate action, including but not limited to actions for contempt.

**Section 4:** Participants will pay a fee of \$30.00 to cover the total cost of the seminar including the presenter's fee, handouts, applications, and program administration. The fee may be waived if a party presents a verified affidavit of poverty and it appears upon investigation that the party otherwise meets the Court's guidelines of indigency. The Seminar Service Providers will administer the seminar using qualified counselors, educators, and trainers pursuant to a contract for services.

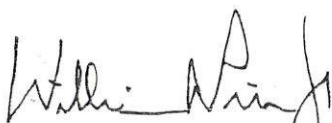
**Section 5:** A service of equal value may be substituted for the seminar if written verification satisfactory to the District Court Administrator,

Eighth Judicial Administrative District, is provided to the Court by a third party indicating that the specific issues noted above have been addressed in another forum through professional or pastoral counseling, or another similar education program. Parties may attend any four hour superior court approved parenting seminar in the State of Georgia and, upon proof of attendance, substitute attendance to this seminar. A certificate of attendance is valid for three years. Further, for good cause shown, the assigned judge may waive the requirement of completion of this program in individual cases.

**Section 6:** Notification will be provided to the parties of their responsibility to attend the seminar or to provide alternative verification at the time of the filing of the pleadings. Instructions for registration may be obtained from the Clerk of Superior Court. Registration must be made within three (3) days prior to the seminar selected in order to insure that adequate space and material are present at the seminar for each party. Parties may register by telephone and make full payment at the seminar. Parties may attempt registration within the three (3) days of the session or appear at the seminar to register, but cannot be guaranteed a space and rescheduling would be required.

**Section 7:** Parties must attend all four hours of the seminar in order to receive credit for attendance. Upon successful completion of the seminar, the parties will be awarded a certificate of attendance to be filed in their respective case with the Clerk of Superior Court. The Service Provider may elect to file a copy of the certificate with the Clerk of Court for each person successfully attending the seminar.

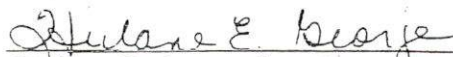
SO ORDERED, this 20th day of November, 1998



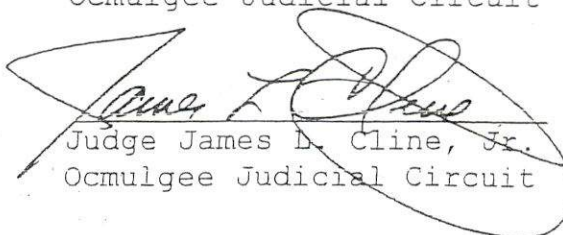
Judge William A. Prior, Jr.  
Ocmulgee Judicial Circuit



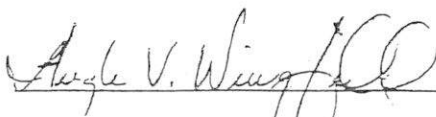
Judge John Lee Parrott  
Ocmulgee Judicial Circuit



Judge Hulane E. George  
Ocmulgee Judicial Circuit



Judge James D. Cline, Jr.  
Ocmulgee Judicial Circuit



Judge Hugh V. Wingfield, III  
Ocmulgee Judicial Circuit

IN THE SUPERIOR COURT OF \_\_\_\_\_ COUNTY  
STATE OF GEORGIA

\_\_\_\_\_, )  
Plaintiff, )  
v. ) Civil Action No. \_\_\_\_\_  
\_\_\_\_\_, )  
Defendant. )

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing Complaint for Divorce upon the following counsel for [party] [or party if no counsel of record] by delivering [or causing to be delivered] by hand a copy of same as follows:

[Name and address of counsel of record, or of parties if no counsel of record.]

\_\_\_\_\_  
\_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Plaintiff *pro se* [Sign here]

Address \_\_\_\_\_

Telephone Number(s) \_\_\_\_\_