

## UNCONTESTED DIVORCE—NO CHILDREN

The forms presented in this packet are 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 the papers out 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, some sections 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.

**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 hired to represent you. 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.

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. Residence Requirement (Check only one)**

- ☐ 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.

**OR**

- ☐ b) Plaintiff is not a resident 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 and Service (Check only one.)**

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

**OR**

- ☐ b) 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 \_\_\_\_\_

**OR**

- ☐ c) Defendant is not a resident of the State of Georgia, but I am a resident of  
\_\_\_\_\_ County, Georgia and:

[ ] 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: \_\_\_\_\_

**3. Date of Marriage (Check only one.)**

- ☐ a) Plaintiff and Defendant were lawfully married on \_\_\_\_\_.

**OR**

- ☐ b) Plaintiff and Defendant are common law married, having entered into a common law marriage before January 1, 1997 as of \_\_\_\_\_.

**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**

There are NO minor children born of the marriage.

**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:  
\_\_\_\_\_  
\_\_\_\_\_
- ☐ **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: \_\_\_\_\_
- ☐ **Intermarriage.** My spouse and I are related as follows:  
\_\_\_\_\_
- ☐ **Mental Capacity.** 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.
- ☐ **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 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 incurably mentally ill.
  - ☐ **Habitual Drug Addiction.** My spouse is addicted to drugs as follows:
- 

**7. Alimony (check only one.)**

- ☐ 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.

**OR**

- ☐ 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.

**OR**

- ☐ c) I voluntarily waive alimony.

**8. Marital Property (Choose only one.)**

- ☐ a) Defendant and I have no marital property.

**OR**

- ☐ b) Defendant and I have already divided our marital property to our mutual satisfaction.

**OR**

- ☐ 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:

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**9. Joint Debts (Choose only one.)**

☐ a) Defendant and I have no joint outstanding debts.

**OR**

☐ 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 that 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.

WHEREFORE, Plaintiff respectfully requests:

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

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

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

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

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

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  
STATE OF GEORGIA

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

CONSENT TO TRIAL 31 DAYS AFTER SERVICE AND  
WAIVER OF RIGHT TO TRIAL BY JURY

Both of the above parties, as indicated by their signatures below, waive their right to trial by jury and consent to the hearing and granting of a divorce in this action any time thirty-one (31) days after the filing of the acknowledgement of service or after service has been perfected.

\_\_\_\_\_  
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: \_\_\_\_\_

\_\_\_\_\_  
Defendant *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  
STATE OF GEORGIA

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

**ACKNOWLEDGMENT OF SERVICE AND SUMMONS**

The undersigned Defendant hereby acknowledges service of the above Summons and  
Complaint for Divorce and states that he/she has received a copy of said Complaint, and  
Defendant hereby waives any further service of process.

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

\_\_\_\_\_  
Defendant *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  
STATE OF GEORGIA

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

**DEFENDANT'S ACKNOWLEDGEMENT OF SERVICE  
AFFIDAVIT OF WAIVER OF VENUE AND PERSONAL JURISDICTION**

I, \_\_\_\_\_, the named Defendant in the above-styled case, after being duly sworn do hereby depose and say that I am a resident of \_\_\_\_\_ County, \_\_\_\_\_ (state), and that the Plaintiff in the above-styled case is a resident of \_\_\_\_\_ County, Georgia. I affirm that I have received a copy of said Petition/Complaint, and I hereby waive any and all further notice, service, and issuance of process.

After being duly informed that I have a constitutional right to a trial by judge or jury on the above matter in the county of my residence, and with that knowledge, I hereby expressly waive my right to venue in the county of my residence, and consent to venue and personal jurisdiction in the county of this superior court.

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

\_\_\_\_\_,  
Affiant  
[Sign in the Presence of a Notary Public]

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

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

	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. _____
	)	
	)	
	)	
Defendant.	)	

**SETTLEMENT AGREEMENT**

This is an agreement by and between \_\_\_\_\_ [Name],  
(hereinafter referred to as "Husband") and \_\_\_\_\_ [Name],  
(hereinafter referred to as "Wife").

WHEREAS, the parties are married but are currently living in a bona fide state of separation;

WHEREAS, the child(ren) born as issue of the marriage is/are:

Name: _____	DOB: _____
Name: _____	DOB: _____
Name: _____	DOB: _____
Name: _____	DOB: _____

WHEREAS, the parties desire to settle between themselves all questions of division of property, child custody, visitation, child support, alimony, and all other rights and obligations arising out of their marital relationship:

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained, the parties agree as follows:

## SEPARATION

1.

- ☐ The parties shall continue to live separate and apart and each shall be free from interference, molestation, authority and control, direct or indirect, by the other, as fully as if sole and unmarried, and each may reside at such place or places as he or she may select.

## CUSTODY AND VISITATION

2.

- ☐ The parties agree that the welfare of the child(ren) is of paramount importance and each agrees to foster and encourage a feeling of affection between themselves and the child(ren). Neither party shall do anything to hamper the natural development of the children's love and respect for the other party.

3.

### **Legal and physical custody (Check only one: a, b, or c)**

- ☐ a) The ☐ Husband/ ☐ Wife shall have the temporary and permanent legal and physical custody of the minor child (ren) born as issue of the marriage.

- ☐ b) The Husband and Wife shall share joint legal custody of the minor child (ren). The parties shall share decision-making concerning the children; however, the ☐ Husband/ ☐ Wife shall have the right to make the final decision in the event the parties cannot agree.

Primary physical custody of the minor child (ren) shall be with the ☐ Husband/ ☐ Wife as follows:

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Secondary physical custody shall be with the ☐ Husband/ ☐ Wife as follows:

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- ☐ c) The Husband and Wife shall share joint legal custody and joint physical custody of the minor child (ren).

Physical custody shall be shared by the parties as follows:

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The parties shall share decision making concerning the child (ren); however, in the event the parties cannot decide, the ☐ Husband/ ☐ Wife shall be the tiebreaker and make the final decision.

4.

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

- ☐ a) The ☐ Husband/ ☐ Wife shall have the right of visitation with the minor children as follows:

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- ☐ b) The visitation schedule is attached hereto and incorporated herein.

**CHILD SUPPORT**

Please go to <http://www.georgiacourts.org/csc/> and complete the Child Support Worksheet. Then print it out and include it in your divorce papers. **Your papers will NOT be accepted for filing without these documents.**

5.

**Child support amount**

- ☐ 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.

6.

**Child support method of payment (Check only one: a or b)**

- ☐ a) All payments of child support shall be paid directly to the Husband/Wife at the following address:

\_\_\_\_\_. No  
Income Deduction Order will be entered into at this time. However, when ever, in violation of

the terms of this Agreement, there shall have been a failure to make the support payments due hereunder so that the amount unpaid is equal to or greater than the amount payable for one (1) month, the payments required to be made may be collected by the process of continuing garnishment for support. In the event ☐ Husband/ ☐ Wife fails to pay any child support obligation in this Agreement on a timely fashion on any three (3) occasions in any twelve (12) month period, the parties agree that an income deduction order shall then be entered.

☐ b) All payments of child support shall be paid by the employer of the non-custodial parent pursuant to an income deduction order.

☐ c) All payments of child support shall be paid to Georgia Child Support Enforcement pursuant to an Income Deduction Order.

7.

#### **Health insurance**

☐ The ☐ Husband/ ☐ Wife shall 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. Costs not covered under the insurance policy shall be divided between Husband and Wife as follows: \_\_\_\_\_

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

8.

#### **Alimony (Check only one: a or b)**

☐ a) The ☐ Husband/ ☐ Wife shall pay to the ☐ Husband/ ☐ Wife as alimony the sum of \$\_\_\_\_\_ per week/month, to be paid beginning on \_\_\_\_\_ and to continue thereafter until the ☐ Husband/ ☐ Wife remarries or dies.

☐ b) The parties hereby expressly waive alimony for the past, present, and future.

9.

#### **Division of property (Check only one: a, b or c)**

☐ a) The parties acknowledge that they have no marital property to divide.

☐ b) The parties acknowledge that they have previously made a division of their household furniture, furnishings, household goods, equipment, and other such personalty. Neither party shall claim any of the property in the possession of the other as of the date of the signing of this agreement.

☐ c) The parties acknowledge that they possess various items of jointly owned property, which shall be divided as follows:

1) To the Wife:

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2) To the Husband:

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10.

**Division of Debts (Check only one: a or b)**

- ☐ a) The parties acknowledge that they have no outstanding joint debts.
- ☐ b) The parties agree to the division of debts as indicated below:

Creditor	Amount	Responsible Party

The responsible party indemnifies and holds harmless the non-responsible party for any collection on these obligations.

11.

**Name restoration**

- ☐ The parties request that Wife's name be restored to \_\_\_\_\_.

12.

**Binding Agreement**

- ☐ The parties acknowledge that they have entered into this Agreement freely and voluntarily and that it is not the result of any duress or any undue influence.

13.

**No Agreements other than this one**

- ☐ This Agreement constitutes the entire understanding of the parties. There are no representations, warranties, covenants, or undertaking other than those expressly set forth herein.

14.

**Enforceability**

- ☐ It is expressly understood that this Agreement does not obligate the parties to continue to live in a state of separation or to proceed with an action for divorce. However, in the event that either party shall bring or maintain an action for dissolution of the marital relationship, this Agreement shall be presented to the court and incorporated by reference into any judgment or decree concerning the matters provided herein. Notwithstanding such incorporation, this Agreement shall survive and be enforceable independently of the judgment or decree.

IN WITNESS WHEREOF, the parties have signed their names, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Wife

[Sign in the presence of a Notary Public]

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

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

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

[Sign in the presence of a Notary Public]

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

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

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

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

	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. _____
	)	
	)	
	)	
Defendant.	)	

**DOMESTIC RELATIONS FINANCIAL AFFIDAVIT OF PLAINTIFF**

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

Affiant's Social Security Number: \_\_\_\_\_

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

Names and birthdate(s) of child(ren) for whom support is to be determined in this action:

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

Names and birth dates of affiant's other child(ren):

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

2. SUMMARY OF AFFIANTS INCOME AND NEEDS

(a) Gross Monthly Income (Item 3A, below) \$ \_\_\_\_\_

(b) Net Monthly Income (Item 3B, below) \$ \_\_\_\_\_

(c) Average Monthly Expenses (Item 5A, below) \$ \_\_\_\_\_

Monthly Payments to Creditors (Item 5B, below) + \$ \_\_\_\_\_

Total Monthly Expenses and Payments (Item 5C) \$ \_\_\_\_\_



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/or independent contracts (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 \$ \_\_\_\_\_

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

**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.)

<u>Description</u>	<u>Value</u>	<u>Husband's Asset</u>	<u>Wife's Asset</u>
Cash	\$ _____	_____	_____
Stocks, Bonds	\$ _____	_____	_____
CD/Money Market Accts.	\$ _____	_____	_____
Bank Accounts:			
(list each account):			
_____	\$ _____	_____	_____
_____	\$ _____	_____	_____
_____	\$ _____	_____	_____
Retirement Pensions,			
401K, IRA, or			
Profit Sharing:	\$ _____	_____	_____
Money Owed You:	\$ _____	_____	_____
Tax Refund Owed to You:	\$ _____	_____	_____
Real Estate:			
Home:	\$ _____	_____	_____
Debt owed:	\$ _____	_____	_____
Other:	\$ _____	_____	_____
Debt owed:	\$ _____	_____	_____
Automobiles/ Vehicles:			
Vehicle 1:	\$ _____	_____	_____
Debt owed:	\$ _____	_____	_____
Vehicle 2:	\$ _____	_____	_____

Debt Owed:	\$	_____	_____	_____
Jewelry	\$	_____	_____	_____
Life Insurance				
(net cash value)	\$	_____	_____	_____
Collectibles:	\$	_____	_____	_____
Furniture/ furnishings:	\$	_____	_____	_____
Other Assets:				
_____	\$	_____	_____	_____
_____	\$	_____	_____	_____
_____	\$	_____	_____	_____
<b>TOTAL ASSETS</b>	\$	_____	_____	_____

**5. A. ESTIMATED AVERAGE MONTHLY EXPENSES**

**HOUSEHOLD**

Mortgage or rent payments:	\$	_____
Property taxes:	\$	_____
Insurance		
(Homeowner/ Renter):	\$	_____
Electricity:	\$	_____
Water:		
Garbage and Sewer:	\$	_____
Telephone		
Residential:	\$	_____
Mobile:	\$	_____
Gas:	\$	_____
Repairs and Maintenance:	\$	_____
Lawn Care:	\$	_____
Pest Control:	\$	_____
Cable TV:	\$	_____
Household and Grocery Items:	\$	_____

Meals Outside Home: \$ \_\_\_\_\_  
Other (Specify): \_\_\_\_\_ \$ \_\_\_\_\_

**CHILD(REN)'S EXPENSES**

Child Care  
(total monthly cost) \$ \_\_\_\_\_  
School Tuition \$ \_\_\_\_\_  
School Supplies/Expenses \$ \_\_\_\_\_  
Lunch Money \$ \_\_\_\_\_  
Tutoring \$ \_\_\_\_\_  
Private lessons  
(e.g., music, dance) \$ \_\_\_\_\_

Other educational expenses (list)

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

Allowance \$ \_\_\_\_\_  
Clothing \$ \_\_\_\_\_  
Diapers \$ \_\_\_\_\_

Medical, Dental, Prescription  
(out of pocket/ uncovered expenses) \$ \_\_\_\_\_

Grooming/Hygiene \$ \_\_\_\_\_

Gifts  
(from children to others) \$ \_\_\_\_\_

Entertainment \$ \_\_\_\_\_

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

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

**AUTOMOBILE**

Loan Payment \$ \_\_\_\_\_  
Gasoline and Oil \$ \_\_\_\_\_  
Repairs \$ \_\_\_\_\_  
Auto Tags and License \$ \_\_\_\_\_  
Insurance \$ \_\_\_\_\_

**OTHER VEHICLES (boats, trailers, RVs, etc.)**

Loan Payment \$ \_\_\_\_\_  
Gasoline and Oil \$ \_\_\_\_\_  
Repairs \$ \_\_\_\_\_  
Auto Tags and License \$ \_\_\_\_\_  
Insurance \$ \_\_\_\_\_

**OTHER INSURANCE**

Health: \$ \_\_\_\_\_  
    Child(ren)'s Portion: \$ \_\_\_\_\_  
Dental: \$ \_\_\_\_\_  
    Child(ren)'s Portion: \$ \_\_\_\_\_  
Vision: \$ \_\_\_\_\_  
    Child(ren)'s Portion: \$ \_\_\_\_\_  
Life: \$ \_\_\_\_\_  
Relationship of Beneficiary \_\_\_\_\_  
Disability: \$ \_\_\_\_\_  
Other (Specify: \_\_\_\_\_) \$ \_\_\_\_\_

**AFFIANT'S OTHER EXPENSES**

Dry Cleaning and Laundry	\$ _____
Clothing	\$ _____
Medical/ Dental/ Prescription (out of pocket/ uncovered expenses)	\$ _____
Gifts (special holidays)	\$ _____
Entertainment	\$ _____
Recreational Expenses (e.g., fitness)	\$ _____
Vacations	\$ _____
Travel expenses for Visitation	\$ _____
Publications	\$ _____
Dues, Clubs	\$ _____
Religious and Charities	\$ _____
Pet expenses	\$ _____
Other (attach sheet)	\$ _____
Alimony Paid to Former Spouse	\$ _____
Child Support (paid for other children)	\$ _____

Date of initial order: \_\_\_\_\_

**TOTAL OF ALL 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

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

\_\_\_\_\_  
Notary Public, State of Georgia  
My commission expires \_\_\_\_\_

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\_\_.

\_\_\_\_\_  
Affiant

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

\_\_\_\_\_  
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)

Last	First	Middle I.	Suffix	Prefix
____	____	____	____	____
____	____	____	____	____
____	____	____	____	____
____	____	____	____	____

### Defendant(s)

Last	First	Middle I.	Suffix	Prefix
____	____	____	____	____
____	____	____	____	____
____	____	____	____	____
____	____	____	____	____

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

Check one case type and one sub-type in the same box (if a sub-type applies):

#### General Civil Cases

- ☐ Automobile Tort
- ☐ Civil Appeal
- ☐ Contempt/Modification/Other Post-Judgment
- ☐ Contract
- ☐ Garnishment
- ☐ General Tort
- ☐ Habeas Corpus
- ☐ Injunction/Mandamus/Other Writ
- ☐ Landlord/Tenant
- ☐ Medical Malpractice Tort
- ☐ Product Liability Tort
- ☐ Real Property
- ☐ Restraining Petition
- ☐ Other General Civil

#### Domestic Relations Cases

- ☐ Adoption
- ☐ Contempt
  - ☐ Non-payment of child support, medical support, or alimony
- ☐ Dissolution/Divorce/Separate Maintenance/Alimony
- ☐ Family Violence Petition
- ☐ Modification
  - ☐ Custody/Parenting Time/Visitation
- ☐ Paternity/Legitimation
- ☐ Support – IV-D
- ☐ Support – Private (non-IV-D)
- ☐ Other Domestic Relations

- ☐ Check if the action is related to another action 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 OCGA § 9-11-7.1.

- ☐ Is a foreign language or sign-language 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)

Defendant(s)

Last	First	Middle I.	Suffix	Prefix

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 COURT OF \_\_\_\_\_ COUNTY  
STATE OF GEORGIA

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

**FINAL JUDGMENT AND DECREE OF DIVORCE**

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.

Plaintiff and Defendant 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 \_\_\_\_\_ the former name of \_\_\_\_\_.

The Court has determined that ☐ temporary/ ☐ permanent alimony in the amount of \$\_\_\_\_\_ shall be paid by the ☐ Husband/ ☐ Wife to the ☐ Husband/ ☐ Wife, ☐ weekly/ ☐ monthly/ ☐ annually/ ☐ other until \_\_\_\_\_.

The Court has determined that property shall be divided as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

The Court has determined that debts shall be divided as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

This decree entered on \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
JUDGE

Superior Court of \_\_\_\_\_ County  
Southwestern Judicial Circuit

IN THE SUPERIOR COURT OF \_\_\_\_\_ COUNTY  
OCMULGEE JUDICIAL CIRCUIT  
STATE OF GEORGIA

_____	*	
Plaintiff/Petitioner	*	
	*	
V.	*	CIVIL ACTION NO. _____
	*	
_____	*	
Defendant/Respondent.	*	
	*	

---

**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.

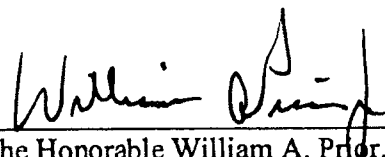
5.

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