

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 acknowledgment 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.

CONTESTED WITH MINOR CHILDREN:

___ COMPLAINT/PETITION FOR DIVORCE

(THIS WILL INCLUDE: COMPLAINT/PETITION, VERIFICATION, & SUMMONS)

___ CONSENT TO TRIAL AFTER 31 DAYS & WAIVER OF RIGHT BY JURY TRIAL

(THIS MUST BE SIGNED BY PLAINTIFF)

___ ACKNOWLEDGMENT OF SERVICE & SUMMONS (BLANK)

___ DEFENDANT'S ACKNOWLEDGMENT OF SERVICE AFFIDAVIT OF WAIVER OF VENUE & PERSONAL JURISDICTION (BLANK)

___ DOMESTIC RELATIONS FINANCIAL AFFIDAVIT:

(MANDATORY: MUST BE COMPLETED BY PLAINTIFF-BLANK COPY TO BE PROVIDED TO DEFENDANT)

___ SETTLEMENT AGREEMENT

(MUST BE COMPLETED- BREAKS DOWN PROPERTY & DEBT)

___ PARENTING PLAN

(MUST BE COMPLETED-BREAKS DOWN VISITATION, CUSTODY, HOLIDAYS, SCHOOL BREAKS, ETC.)

___ CHILD SUPPORT ADDENDUM

(MUST BE COMPLETED-BREAKS DOWN, CHILD SUPPORT, INSURANCE, ETC.)

___ CHILD SUPPORT WORKSHEET

(MUST BE COMPLETED- <https://csconlinecalc.georgiacourts.gov/> - WILL NEED TO CREATE ACCOUNT, DIVORCE WILL NOT BE GRANTED WITHOUT THIS!)

___ PARENTING SEMINAR CERTIFICATE

(MUST BE COMPLETED BY BOTH PARENTS & TURNED IN NO LATER THAN 2 WEEKS PRIOR TO COURT DATE-

<https://www.parentsforever.com>)

___ CASE FILING INFORMATION FORM

___ FINAL JUDGMENT & DECREE

(NEEDS TO BE COMPLETED AT TIME OF FILING-JUDGES/CLERKS DO NOT EDIT ANY FORMS-MUST INDICATE WHAT THE PARTIES ARE ASKING FOR: NAME CHANGE, PROPERTY, ETC.)

___ REPORT OF DIVORCE

(GETS MAILED TO DEPARTMENT OF PUBLIC RECORDS: COMPLETE ALL BUT TOP LINE AT TIME OF FILING)

___ NOTICE OF HEARING

(TO BE COMPLETED BY CLERKS-45 DAYS AFTER DATE OF FILING ASSIGN COURT DATE)

___ SHERIFFS ENTRY OF SERVICE WITH ADDITIONAL COPY FOR SERVICE

___ PARTY INFORMATION SHEET

(MUST BE COMPLETED AT TIME OF FILING-MUST BE EFFINGHAM COUNTY RESIDENT!)

Plaintiff Signature

Date

(Deputy) Clerk Signature

Date

IF DEFENDANT IS NOT A RESIDENT OF EFFINGHAM COUNTY, YOU MUST FILE WHERE DEFENDANT LIVES. IF NO CONTACT INFORMATION, YOU MUST ATTEMPT AT LAST KNOWN EFFINGHAM COUNTY ADDRESS, THEN PROCEED WITH SERVICE BY PUBLICATION/PROCESS SERVER-THIS REQUIRES ORDER FROM JUDGE- WILL BE ORDERED AT FIRST HEARING APPEARANCE.

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:

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 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):

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 The _____ to have primary physical custody.

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

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:

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):

-
-
- 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:
-

*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): _____

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.)

ACKNOWLEDGEMENT OF SERVICE AND SUMMONS

The undersigned Defendant hereby acknowledges service of the above Summons and Complaint for Divorce and states that (s)he 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
§ File No. _____
_____, §
Defendant. §

SUMMONS

To the above-named defendant:

You are hereby summoned and required to file with the Clerk of said Court and serve upon _____, the pro se plaintiff, whose address is _____ an answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

This _____ day of _____, 20_____.

Clerk of Superior Court, _____ County

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:

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

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:

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:

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:

*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:

2) To the Husband:

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: _____

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, Georgia

| | | |
|-------------|---|------------------------|
| _____ |) | |
| , Plaintiff |) | |
| vs. |) | Civil Action No. _____ |
| _____ |) | |
| , Defendant |) | |

DOMESTIC RELATIONS FINANCIAL AFFIDAVIT OF WIFE

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 |
|-------|---------------|--------------|
| _____ | | |
| _____ | | |
| _____ | | |

Names and birth dates of affiant's other children:

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

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)

C. 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 | \$ _____ | <u>OTHER VEHICLES</u> | |
| | | <u>(boats, trailers, RVs, etc.)</u> | |
| Repairs and maintenance: | \$ _____ | Gasoline and oil | \$ _____ |
| Lawn Care | \$ _____ | Repairs | \$ _____ |
| Pest Control | \$ _____ | Tags and license | \$ _____ |
| | | Insurance | \$ _____ |

CHILDREN'S EXPENSES

| | |
|--|----------|
| Child care <u>(total monthly cost)</u> | \$ _____ |
| School tuition | \$ _____ |
| Tutoring | \$ _____ |
| Private lessons (e.g., music, dance) | \$ _____ |
| 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, prescription <u>(out of pocket/uncovered expenses)</u> | \$ _____ |
| Affiant's gifts (special holidays) | \$ _____ |
| Entertainment | \$ _____ |
| <u>Recreational Expenses (e.g., fitness)</u> | \$ _____ |
| Vacations | \$ _____ |
| Travel Expenses for Visitation | \$ _____ |
| Publications | \$ _____ |
| Dues, clubs | \$ _____ |
| Religious and charities | \$ _____ |
| <u>Pet expenses</u> | \$ _____ |
| Alimony paid to former spouse | \$ _____ |
| Child support paid <u>for other children</u> | \$ _____ |
| <u>Date of initial order:</u> | _____ |

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: \$ _____

D. TOTAL MONTHLY EXPENSES: \$ _____

This _____ day of _____, 20_____.

Affiant
[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.) Civil Action No. _____
_____, Defendant)

DOMESTIC RELATIONS FINANCIAL AFFIDAVIT OF HUSBAND

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 |
|-------|---------------|--------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

Names and birth dates of affiant's other children:

| Name | Date of Birth | Resides with |
|-------|---------------|--------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

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

CHILDREN'S EXPENSES

AFFIANT'S OTHER EXPENSES

| | | | |
|---|----------|---|----------|
| Child care (total monthly cost) | \$ _____ | Dry cleaning/laundry | \$ _____ |
| School tuition | \$ _____ | Clothing | \$ _____ |
| Tutoring | \$ _____ | Medical, dental, prescription (out of pocket/uncovered expenses) | \$ _____ |
| Private lessons (e.g., music, dance) | \$ _____ | Affiant's gifts (special holidays) | \$ _____ |
| School supplies/expenses | \$ _____ | Entertainment | \$ _____ |
| Lunch Money | \$ _____ | Recreational Expenses (e.g., fitness) | \$ _____ |
| <u>Other Educational Expenses (list)</u> | | Vacations | \$ _____ |
| _____ | \$ _____ | Travel Expenses for Visitation | \$ _____ |
| _____ | \$ _____ | Publications | \$ _____ |
| Allowance | \$ _____ | Dues, clubs | \$ _____ |
| Clothing | \$ _____ | Religious and charities | \$ _____ |
| Diapers | \$ _____ | Pet expenses | \$ _____ |
| Medical, dental, prescription (out of pocket/uncovered expenses) | \$ _____ | Alimony paid to former spouse | \$ _____ |
| Grooming, hygiene | \$ _____ | Child support paid for <u>other</u> children | \$ _____ |
| Gifts from children to others | \$ _____ | 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 |
|----------|-------------|-----------------|-------|-----------|-----------|
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
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| | | | | | |
| | | | | | |

TOTAL MONTHLY PAYMENTS TO CREDITORS: \$ _____

C. TOTAL MONTHLY EXPENSES: \$ _____

This _____ day of _____, 20_____.

Affiant
[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: _____

B. Primary Physical Custodian

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

| | | | | |
|--|--------|---------------------------------|---------------------------------|--------------------------------|
| | d/o/b: | <input type="checkbox"/> Mother | <input type="checkbox"/> Father | <input type="checkbox"/> Joint |
| | d/o/b: | <input type="checkbox"/> Mother | <input type="checkbox"/> Father | <input type="checkbox"/> Joint |
| | d/o/b: | <input type="checkbox"/> Mother | <input type="checkbox"/> Father | <input type="checkbox"/> Joint |
| | d/o/b: | <input type="checkbox"/> Mother | <input type="checkbox"/> Father | <input type="checkbox"/> Joint |
| | d/o/b: | <input type="checkbox"/> Mother | <input type="checkbox"/> Father | <input type="checkbox"/> Joint |

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

Major decisions regarding each child shall be made as follows:

- Educational decisions mother father joint
- Non-emergency health care mother father joint
- Religious upbringing mother father joint
- Extracurricular activities mother father joint
- _____ mother father joint
- _____ mother father joint

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.

II. Parenting Time/Visitation Schedules

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 _____ a.m./p.m. and ending _____ a.m./p.m.
- Other: _____.
- and weekday parenting time / visitation on (choose an item):
 - None
 - Every Wednesday Evening
 - Every other Wednesday during the week prior to a non-visitation weekend.
 - Every _____ and _____ evening.
 - Other: _____.

For purposes of this parenting plan, a weekend will start at _____ a.m./p.m. on [Thursday / Friday / Saturday / Other: _____] and end at _____ a.m./p.m. on [Sunday / Monday / Other: _____].

Weekday visitation will begin at _____ a.m./p.m. and will end [at _____ p.m. / when the child(ren) return(s) to school or day care the next morning / Other: _____].

This parenting schedule begins:

- _____ OR date of the Court's Order
(day and time)

B. Major Holidays and Vacation Periods

Thanksgiving

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

 beginning _____.

Winter Vacation

The () mother () father shall have the child(ren) for the first period from the day and time school is dismissed until December _____ at _____ a.m./p.m. 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.

Other agreement of the parents:

Summer Vacation

Define summer vacation period: _____

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

beginning _____.

Spring Vacation (if applicable)

Define: _____

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

beginning _____.

Fall Vacation (if applicable)

Define: _____

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

beginning _____.

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:

| | MOTHER | FATHER |
|--------------------------|--------|--------|
| Martin Luther King Day | _____ | _____ |
| Presidents' Day | _____ | _____ |
| Mother's Day | _____ | _____ |
| Memorial Day | _____ | _____ |
| Father's Day | _____ | _____ |
| July Fourth | _____ | _____ |
| Labor Day | _____ | _____ |
| Halloween | _____ | _____ |
| Child(ren)'s Birthday(s) | _____ | _____ |
| Mother's Birthday | _____ | _____ |
| Father's Birthday | _____ | _____ |
| Religious Holidays: | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| 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

For visitation, the place of meeting for the exchange of the child(ren) shall be:

The _____ will be responsible for transportation of the child at the beginning of visitation.

The _____ will be responsible for transportation of the child at the conclusion of visitation.

Transportation costs, if any, will be allocated as follows:

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. Supervision of Parenting Time (if applicable)

Check here if Applicable

Supervised parenting time shall apply during the day-to-day schedule as follows:

Place: _____

Person/Organization supervising: _____

Responsibility for cost: mother father both equally

J. Communication Provisions

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 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. 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. Parents' Consent

Please review the following and initial:

1. We 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. We recognize that our child's needs will change and grow as the child matures; we 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. We 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: _____

() We knowingly and voluntarily agree on the terms of this Parenting Plan. Each of us affirms that the information we have provided in this Plan is true and correct.

Father's Signature

Mother's Signature

Sworn and subscribed
before me this _____ day of
_____, 20_____.

Sworn and subscribed
before me this _____ day of
_____, 20_____.

Notary Public

Notary Public

ORDER

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

This Order entered on _____, 20 ____.

JUDGE

_____ COUNTY SUPERIOR COURT

IN THE SUPERIOR COURT FOR _____ COUNTY
STATE OF GEORGIA

_____,
Plaintiff,
vs. _____,
Defendant.

CIVIL ACTION NUMBER: _____

CHILD SUPPORT ORDER ADDENDUM

All parts of this Addendum must be completed and it must be attached to all temporary and final orders and judgments determining the amount of child support. However, it is not required for orders on contempt motions.

[You must check one of the following boxes.]

The parties have agreed to the terms of this Order and this information has been furnished by both parties to meet the requirements of O.C.G.A. § 19-6-15. The parties agree on the terms of the Order and affirm the accuracy of the information provided, as shown by their signatures at the end of this Addendum.

-or-

This Addendum includes findings of fact and conclusions of law and fact made by the Court, in compliance with O.C.G.A. § 19-6-15.

APPLICATION OF CHILD SUPPORT GUIDELINES. The statutory requirements of O.C.G.A. § 19-6-15 have been applied in reaching the amount of child support provided under the final order in this action. The specifics are as follows:

- Gross Income:** The Father's gross monthly income (before taxes) is \$ _____; the Mother's monthly income (before taxes) is \$ _____.
- Number of Children:** The number of children for whom support is being provided in this Order is _____.
- Attachments:** The *Child Support Worksheet* and *Schedule E* are attached and made a part of this Addendum, along with other applicable Schedules.
- Child Support Amount:** The _____ shall pay to the _____, for the support of the minor children, the sum of _____ Dollars (\$ _____) per month, beginning on _____, 20__.

5. Duration of Child Support

[You must check & complete only one of the following paragraphs.]

(a) **Beyond Age 18 for High School:** The child support shall continue monthly thereafter until each child reaches the age of eighteen, dies, marries, or otherwise becomes emancipated; provided that if a child becomes eighteen years old while enrolled or attending secondary school on a full-time basis, then the child support shall continue for the child until the child has graduated from secondary school or reaches twenty years of age, whichever occurs first.

(b) **Stops at Age 18:** The child support shall continue monthly thereafter until each child reaches the age of eighteen, dies, marries, or otherwise becomes emancipated.

(c) **Until Further Order:** This is not a final order, so the child support shall continue until further order of the Court.

(d) **Until Specific Date:** The child support shall continue monthly thereafter until _____

6. Deviation from Presumptive Amount of Child Support

[You must check & complete only one of the following paragraphs.]

(a) **No Deviation:** It has been determined that none of the Deviations allowed under O.C.G.A. § 19-6-15 applies in this case, as shown by the attached *Schedule E*. The amount of support in Paragraph 4 above is the Presumptive Amount of Child Support shown on the attached *Child Support Worksheet*.

(b) **Deviation:** It has been determined that one or more of the Deviations allowed under O.C.G.A. § 19-6-15 applies in this case, as shown by the attached *Schedule E*. The Presumptive Amount of Child Support that would have been required under O.C.G.A. § 19-6-15 if the deviations had not been applied is \$ _____ per month, as shown on the attached *Child Support Worksheet*. The attached *Schedule E* explains the reasons for the deviation, how the application of the guidelines would be unjust or inappropriate considering the relative ability of each parent to provide support, and how the best interest of the children who are subject to this child support determination is served by deviation from the presumptive amount of child support.

7. Health, Dental & Vision Insurance for Children

[You must check & complete only one of the following paragraphs, (a) or (b).]

(a) **Insurance Available:** The following insurance for the children involved in this action is available at a reasonable cost to the _____ through that parent's employer, private insurance, or the Peach Care program:

- () Health (medical, mental health and hospitalization)
- () Dental
- () Vision

So long as it remains available to that parent, the _____ shall maintain the types of insurance checked above for the benefit of the minor children, until each child reaches the age of eighteen, dies, marries, or otherwise becomes emancipated; except that if a child becomes eighteen years old while enrolled in or attending secondary school on a full-time basis, then the insurance shall be continued for the child until the child has graduated from secondary school or reaches twenty years of age, whichever occurs first.

(1) The parent who maintains the insurance shall provide the other parent with an insurance identification card or such other acceptable proof of insurance coverage and shall cooperate with the other parent in submitting claims under the policy.

(2) All money received by one of the parties for claims processed under the insurance policy shall be paid within five (5) days after the party receives the money, to the other party (if that other party paid the applicable health care service provider) or to the applicable health care provider (if the provider has not been paid by one of the parties).

() (b) **Insurance Not Available:** Insurance (other than Medicaid) is not available at this time to either party at a reasonable cost. If health insurance for the children later becomes available to the parent who is required to pay child support for these children, then that parent must obtain the following types of insurance, unless it is the being provided by the other parent:

- Health (medical, mental health and hospitalization)
- Dental
- Vision

When insurance has been obtained by either party, Paragraphs 7 (a) (1) and (2) shall apply.

8. **Uninsured Health Care Expenses:** The _____ shall pay _____% and the _____ shall pay _____% of all reasonable and necessary expenses incurred for the children's health care (including medical, dental, mental health, hospital and vision care) that are not covered by insurance. The party who incurs a health care expense for one of the children shall provide verification of the amount to the other party. That other party shall reimburse the incurring party (or pay the health care provider directly) for the appropriate percentage of the expense, within fifteen (15) days after receiving the verification of a particular health care expense.

9. **Parenting Time Amounts:** The approximate number of days of parenting time per year according to the visitation order is _____ days for the father and _____ days for the Mother.

10. Social Security Benefits

[You must check & complete only one of the following paragraphs.]

(a) **Not Received:** The children do not receive Title II Social Security benefits under the account of the parent ordered to pay child support.

(b) **Received:** The children receive Title II Social Security benefits under the account of the parent ordered to pay child support. The benefits received by the children shall be counted as child support payments, and shall be applied against the final child support order to be paid by that parent.

(1) If the amount of benefits received is less than the amount of support ordered, the obligor shall pay the amount exceeding the Social Security benefit.

(2) If the amount of benefits received is equal to or more than the amount of child support ordered, the obligor's responsibility is met and no further support shall be paid.

(3) Any Title II benefits received for the children's benefit shall be retained by the custodial parent or third-party custodian for the children's benefit, and it shall not be used as a reason for decreasing the final child support order or reducing arrearages.

11. Modification:

[You must check & complete only one of the following paragraphs.]

(a) **Not Modification Action:** This is an initial determination of child support, not a modification action.

(b) **Support Amount Not Modified:** This action is a modification action, but the order does not modify the amount of child support that was previously ordered for these children. The date of the initial support order concerning this child support case was:

_____.

(c) **Support Amount Modified:** The order modifies the amount of child support that was previously ordered for these children. The basis for the modification is:

- (1) Substantial change in the income and financial status of the Father;
- (2) Substantial change in the income and financial status of the Mother;
- (3) Substantial change in the needs of the Children;
- (4) The non-custodial parent failed to exercise visitation provided under the prior order;
- (5) The non-custodial parent has exercised more visitation than was provided in the prior order.

The date of the initial support order concerning this child support case was:

_____.

12. **Continuing Garnishment for Child Support:** Whenever, in violation of the terms of the order, there shall have been a failure to make the support payments, so that the amount unpaid is equal to or greater than the amount payable for one month, the payments required to be made may also be collected by the process of continuing garnishment for support.

13. **Income Deduction Order:**

[You must check & complete only one of the following paragraphs, (a), (b) or (c).]

(a) An *Income Deduction Order* shall be entered by the Court, under O.C.G.A. § 19-6-32, for payment of the child support and alimony (if any) provided. The *Income Deduction Order* shall take effect:

[To finish (a), you must check either (1) or (2). Do not check both.]

(1) immediately upon entry of the Court.

-or-

(2) upon accrual of a delinquency equal to one month's support. The *Income Deduction Order* may be enforced by serving a "Notice of Delinquency," as provided in O.C.G.A. § 19-6-32 (f).

(b) The parties agree that an *Income Deduction Order* is not immediately necessary.

(c) The Court finds that there is good cause not to require income deduction, having determined that income deduction will not serve the children's best interests and that there has been sufficient proof of timely payment of any previously ordered support.

14. **Type of Action:**

Parties' Consent: We knowingly and voluntarily agree on the terms of this order. Each of us affirms that the information we have provided in this Addendum is true and correct.

Father's Signature

Mother's Signature

Third Party Custodian

Contested Hearing.

Sworn and subscribed
before me this ___ day of
_____, 20__

Sworn and subscribed
before me this ___ day of
_____, 20__

Notary Public

Notary Public

Seal

Seal

ORDER

() This Court has reviewed the foregoing *Child Support Addendum*, and it is hereby made the order of this Court.

-or-

() After a hearing in the above-styled case, the Court hereby makes the findings of facts as shown on this *Child Support Order Addendum*.

SO ORDERED, on this ____ day of _____, 20 ____.

Judge of Superior Courts
Ogeechee Judicial Circuit

Prepared By:

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: _____; Date of Birth: _____.

- 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:

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

SO ORDERED, this _____ day of _____, 20_____.

JUDGE, Superior Courts

IN THE SUPERIOR COURT OF EFFINGHAM COUNTY
STATE OF GEORGIA

| | | |
|--------------|---|------------------------|
| |) | |
| |) | |
| PLAINTIFF(S) |) | |
| |) | |
| vs. |) | Civil Action No. _____ |
| |) | |
| |) | |
| |) | |
| DEFENDANT(S) |) | |

NOTICE OF HEARING

Notice is hereby given to the above-named parties that a hearing will be held before the Honorable _____, on _____, 20__ at ___:___ AM/PM in the Effingham County Judicial Complex on the third floor in the _____ Courtroom.

Parties are directed and required to be and appear before the court at said date, time and place ready for said hearing.

This _____ day of _____, 20__.

Clerk/Deputy Clerk Superior Court
Effingham County

IN THE SUPERIOR COURT OF EFFINGHAM COUNTY, GEORGIA
SHERIFF'S RETURN OF SERVICE

Civil Action No. _____

____ Superior Court ____ Juvenile Court

Date Filed _____

____ State Court

Attorney's Address _____

Georgia, _____ EFFINGHAM _____ County

PLAINTIFF

Vs.

Name and Address of Party to be served _____

DEFENDANT

GARNISHEE

SHERIFF'S ENTRY OF SERVICE

_____ I have this day served the defendant _____ personally with a copy of the within action and summons.

_____ I have this day served the defendant _____ by leaving a copy of the action and summons at his most notorious place of abode in this County.

Delivered same into hands of _____ described as follows: age, about _____ years; weight, about _____ pounds; height, about _____ feet and _____ inches, domiciled at the residence of defendant.

_____ Served the defendant, _____ a corporation, by leaving a copy of the within action and summons with _____ in charge of the office and place of doing business of said Corporation in this County.

_____ I have this day served the above styled affidavit and summons on the defendant(s) by posting a copy of the same to the door of the premises designated in said affidavit, and on the same day of such posting by depositing a true copy of same in the United States Mail, First Class in an envelope properly addressed to the defendant(s) at the address shown in said summons, with adequate postage affixed thereon containing notice to the defendant(s) to answer said summons at the place stated in the summons.

_____ Diligent search made and defendant _____ not to be found in the jurisdiction of this Court.

This _____ day of _____, _____



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.

SUPERIOR COURT OF EFFINGHAM
PARTIES INFORMATION SHEET
TO BE FILED WITH COMPLAINT/PETITION

Plaintiff's Contact Information:

Plaintiff's Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Daytime Phone Number: _____

Cell Phone Number: _____

Email Address: _____

Defendant's Contact Information:

Defendant's Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Daytime Phone Number: _____

Cell Phone Number: _____

Email Address: _____

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 |
| | | | | |
| | | | | |
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|------|-------|-----------|--------|--------|
| Last | First | Middle I. | Suffix | Prefix |
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| | | | | |

Plaintiff's Attorney _____ Bar Number _____ Self-Represented

Check One Case Type in One Box

General Civil Cases

- Automobile Tort
- Civil Appeal
- 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
- Dissolution/Divorce/Separate Maintenance
- Family Violence Petition
- Paternity/Legitimation
- Support – IV-D
- Support – Private (non-IV-D)
- Other Domestic Relations

Post-Judgment – Check One Case Type

- Contempt
- Non-payment of child support, medical support, or alimony
- Modification
- 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 _____ Case Number _____
MM-DD-YYYY

Case Style _____

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 |

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| Last | First | Middle I. | Suffix | Prefix |
| Last | First | Middle I. | Suffix | Prefix |
| 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?