

LEGITIMATION PACKET

FAQ

Why should children be legitimated?

The law encourages the fathers of children to legally recognize them. The legitimization process is a way for them to do this. It gives the father and the child certain rights. Legitimation means that a child may inherit from the father and the father may inherit from the child.

How may a child born out of wedlock be legitimated?

There are three ways to legitimate a child. The first way is for the mother and the reputed father to marry and for the father to then recognize the child as his.

The second way is for the mother and father to sign a voluntary acknowledgement of paternity. According to O.C.G.A. § 19-7-22(g)(2), "In any voluntary acknowledgment of paternity which has been made and has not been rescinded pursuant to Code Section 19-7-46.1, when both the mother and father freely agree and consent, the child may be legitimated by the inclusion of a statement indicating a voluntary acknowledgment of legitimation.." For more information on how to sign a voluntary acknowledgement of paternity or call the Georgia Paternity Acknowledgement program at 1-866-296-8262.

The third way to legitimate a child is for the father to file a legitimization petition in Superior Court.

How do I get a certified copy of my child's signed voluntary acknowledgement of paternity?

Write to the Georgia Department of Vital Records at 2600 Skyland Dr. NE, Atlanta, GA 30319. The following items must be included with your request:

1. Full name of person shown on the birth certificate (last name at birth if female)
2. Date of Birth (month, day, year)
3. Place of Birth (city, county),
4. Current age
5. Sex
6. Race (optional)
7. Full name of mother (include mother's maiden last name)
8. Full name of father

9. Relationship to the person named on the birth certificate requested
10. The number of certified copies requested
11. A copy of the birth certificate
12. A photocopy of the requestor's driver's license
13. A money order in the amount of \$10 per certified copy requested.

How does a man go about filing for legitimization in the superior or state court?

The first step is for the father to file a petition in "the county of the residence of the child's mother or other party having legal custody or guardianship of the child; provided, however, that if the mother or other party having legal custody or guardianship of the child resides outside the state or cannot, after due diligence, be found within the state, the petition may be filed in the county of the father's residence or the county of the child's residence. If a petition for the adoption of the child is pending, the father shall file the petition for legitimization in the county in which the adoption petition is filed." (OCGA 19-7-22). The mother of the child must be named as a party, served with a copy of the petition, and given an opportunity to be heard.

The father has no absolute right to legitimate a child. The Court will consider the best interest of the minor in determining whether the legitimization should be awarded. Sometimes a Court will deny a legitimization petition if the Court believes that it has been filed to harass or interfere with the life of the mother.

What effect does a legitimization have?

The Court will pass an order declaring the child legitimate and capable of inheriting from the father just as if the child had been born during a marriage.

At the time of the legitimization, the Judge will determine the duty of the father to support the child. Additionally, the Court may order visitation and/or custody based on the best interests of the child. The Court may also change the child's name to that of the father but the Court has wide discretion as to whether or not it will do so.

When the father files for legitimization, may he also ask for custody?

Until July 1, 2005, the father could only get custody in a legitimization action if the mother consented. The Georgia Legislature changed O.C.G.A. § 19-7-22 effective July 1, 2005 to allow a father to ask for custody in a legitimization suit.

What if paternity has been established—isn't that enough for legitimization?

No, a finding in a paternity action that a person is the father of a child is not a legitimization. Paternity establishes the identity of the biological father and it establishes the father's duty to support the child. After July 1, 2005, it can also establish custody.

O.C.G.A. § 19-7-22 provides that the petition for legitimization may be brought in “the county of the residence of the child's mother or other party having legal custody or guardianship of the child; provided, however, that if the mother or other party having legal custody or guardianship of the child resides outside the state or cannot, after due diligence, be found within the state, the petition may be filed in the county of the father's residence or the county of the child's residence. If a petition for the adoption of the child is pending, the father shall file the petition for legitimation in the county in which the adoption petition is filed.”

O.C.G.A. § 19-7-40(a) gives the superior and state courts concurrent jurisdiction in all proceedings for the determination of paternity of children who are Georgia residents.

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

Plaintiff files this Petition and shows the following:

Plaintiff's Residence

- 2.

☐ Plaintiff is the father of the following child(ren):

3.

☐ a) The mother of said child(ren) is _____, who now resides in _____ County, Georgia, and is subject to the jurisdiction of this Court.

☐ b) The child(ren)'s _____ (relationship), whose name is _____ has ☐ custody/

☐ guardianship of the child(ren). ☐ He/ ☐ She lives in _____
County, Georgia.

☐ c) The mother or other party having custody or guardianship,
_____ (state name
and relationship to the child) resides outside the state of Georgia and cannot, after due
diligence, be found within the state.

☐ d) A petition for adoption for the child(ren) is pending in
_____ County, Georgia. Therefore, venue is proper in that
county.

4.

Service of Process (Choose a, b or c)

☐ a) The mother or other legal custodian or guardian has signed an
Acknowledgment of Service form.

☐ b) The mother or other legal custodian or guardian has signed the
Defendant's Acknowledgment of Service, Affidavit of Waiver of Venue and Personal
Jurisdiction.

☐ c) The mother or other legal custodian or guardian may be personally served
at his/her work/residence address of _____.

☐ d) While the mother or other legal custodian or guardian resides in Georgia,
his or whereabouts of the mother are unknown and s/he must be served by publication as
provided by O.C.G.A. § 9-11-4(f)(1)(A).

☐ e) The mother or other legal custodian or guardian reside outside the state of
Georgia. However, his or her whereabouts are unknown and s/he must be served by
publication as provided by O.C.G.A. § 9-11-4(f)(1)(A).

5.

Mother's Consent (Choose a , b, c, d, or e)

☐ a) The mother of said child(ren) has consented in writing to the legitimation
of said child (ren) and to the ☐ legal and/or ☐ physical custody being awarded to the
Plaintiff. Her consent is attached hereto as Exhibit "_____."

☐ b) The mother of said child(ren) has consented in writing to the legitimation
of said child(ren) and to visitation by the Plaintiff

☐ c) The mother of said child(ren) is deceased, having died on _____.
A copy of her death certificate is attached hereto as Exhibit "_____."

☐ d) There is no other legal parent of the child(ren), and the child(ren) have no
legal guardian.

☐ e) The mother of said child(ren) is opposing the legitimation of said
child(ren).

6.

Plaintiff's desire to legitimate child(ren) and change surname(s)

☐ This Petition is brought pursuant to O.C.G.A. § 19-7-22 to legitimate said child(ren) and to change his/her/their surname(s) from _____ to _____.

7.

Current Custody Arrangement (Choose a or b)

☐ a) The Defendant, _____, presently has legal custody of the minor child(ren). They have lived with him/her since _____ (date).

☐ b) The ☐ legal custodian/ ☐ legal guardian of the minor child(ren) is _____ (name), who is related to the children as follows: _____

The legal custodian, _____, has the following type of legal custody or guardianship: _____

(temporary guardianship, permanent guardianship, permanent custody, etc.). S/he has had this legal custody or guardianship since _____ (date).

8.

Future Custody Arrangement

☐ It is in the best interest(s) of the child(ren) for the custody to be as follows:

9.

Visitation (Choose a or b)

☐ a) It is in the best interest(s) of the child(ren) that the following visitation schedule be established:

☐ b) It is in the best interest(s) of the child(ren) that the visitation schedule in the forms packet on page thirty (30) be adopted.

WHEREFORE, Plaintiff demands the following:

- (a) That the name of said child be changed from _____ to _____ ;
- (b) That said child be legitimized by (his) (her) new name as the legitimate (son) (daughter) of petitioner;
- (c) That the petitioner be granted visitation rights;
- (d) That the petitioner be awarded custody as follows: _____

(c) If necessary, rule nisi issue directing the said _____ to appear before the Court to show cause why the relief demanded by this petition should not be granted.

Plaintiff *pro se*

Address: _____

Telephone: _____

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

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

VERIFICATION

Personally appeared before the undersigned officer, duly authorized to administer oaths in the state of Georgia, _____, who after being duly sworn, deposes and states that s/he is the Plaintiff in the above-styled action and verifies that the facts contained in the within and foregoing Petition for Legitimization are true and correct to the best of her information, knowledge, and belief.

This _____ day of _____, 20____.

_____,
Plaintiff *pro se*

Sworn 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. _____
Defendant.

)
)
)
)
)
)
)
)
)
)
)

Civil Action No. _____

PLAINTIFF'S AFFIDAVIT REQUIRED BY O.C.G.A. § 19-7-43(d)

State of Georgia
County of _____

Personally before the undersigned officer authorized to administer oaths appeared _____, who, being duly sworn, does state on oath the following:

1.

That affiant is the plaintiff named in the above- styled action to legitimate the following child(ren) who were born to the affiant and to _____:

Name	Date of Birth	Place of Birth
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

2.

The present address of the Plaintiff is _____.

3.

The present address of the Defendant is _____.

4.

I attest that the defendant and I had sexual intercourse at or about the time of the child(ren)'s conception, which would have been approximately the following dates:

_____ ; _____ ; _____ ; _____ ..

5.

I attest that I was the sole sexual partner of the Defendant at the time her child(ren), _____, was/were conceived.

6.

I attest that based upon my knowledge and belief, as well as the defendant's statements to me that I was the defendant's sole sexual partner.

7.

I attest that the Defendant has admitted to me that her child(ren), _____, is /are my biological child(ren), and the product of our sexual intercourse during our relationship.

8.

I attest that our child(ren), _____, currently reside(s) at _____ (address).

9.

I attest that the minor child(ren), _____, is/are my biological child(ren).

Affiant/Plaintiff/Father

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

Notary Public

SUPERIOR COURT OF COUNTY
STATE OF GEORGIA

_____,
Plaintiff,
v. _____,
Defendant.

Civil Action
Case Number _____

CONSENT TO LEGITIMATION

1.

I am the ☐ mother ☐ legal guardian ☐ legal custodian of following minor child(ren),
who is/are the subject of this Legitimation action filed by the Petitioner:

Current Name of Child	Male / Female	Year of Birth

2.

I hereby give my consent to the following provisions, by writing my initials next to them.
I do not agree to any of the provisions unless I have written my initials next to them.

[Write your initials next to **only the ones to which you agree**. Draw a line through the ones to which you do not agree]

_____ (a) I agree to the Petitioner legitimating our child(ren), whose names are listed in Paragraph 1 above.

[Write your initials next to **only the ones to which you agree**.
Draw a line through the ones to which you do not agree]

_____ (b) I agree to changing the child(ren's) last name to: _____.

_____ (c) I agree to the following arrangement concerning custody and visitation:
_____.

_____ (d) On the issue of child support:

[Write your initials next to only one of the following, (1) to (4).]

_____ (1) Child support has already been decided for the child(ren) by a court or agency in another case.

_____ (2) I want the Court to decide child support and enter a child support order as part of this legitimation case.

_____ (3) The Petitioner and I have reached an agreement on child support for the child(ren), and it is consistent with the Georgia child support guidelines. The completed Child Support Addendum and Worksheet is attached. I understand that it will be included in the final order in this case.

_____ (4) The parties live together with the child(ren), so no child support order is necessary at this time.

3.

I have read this consent document, and I understand it. I am giving my consent freely. I have written my initials next to all of the provisions in Paragraph 2 to which I am agreeing. I am not being forced to sign this consent, and I believe this legitimation is in the best interest of my child(ren).

Respondent (Signature)

Name: _____

Email: _____

Subscribed & sworn to before me on
_____, 20____.

**IF YOU DO NOT HAVE AN EMAIL
ADDRESS, FILL OUT A CERTIFICATE OF
NO EMAIL ADDRESS**

Notary Public

Commission Expires: _____

Phone (daytime): _____

SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

In re the Name Change of Child(ren):

Petitioner,

v.

Respondent.

Civil Action
File No.:

CONSENT TO CHANGE NAME(S)
OF MINOR CHILD(REN) AND
ACKNOWLEDGMENT OF SERVICE

1. My name: _____

My address: _____

My relationship to the child(ren): ☐ Mother ☐ Father ☐ Guardian

2. I have received a copy of the *Petition* being filed by the Petitioner to change the name(s) of the child(ren), and I hereby give my consent to the name(s) being changed as follows:

Current Name of Child	Year of Birth	Proposed New Name

3. I consent to both jurisdiction and venue as they are stated in the *Petition*. So long as any final order in this action is consistent with this consent form, then I waive formal process, further notice, my right to a hearing and, if I am on active duty in the armed forces, I also waive my rights under the Soldiers and Sailors Civil Relief Act, 50 USC §521. I give my consent for the Court to hear this matter as soon as possible after thirty days. Should further notice be required for any reason, the notice should be mailed to me at the address shown in Paragraph One (1) above.

☐ Mother ☐ Father ☐ Guardian
(Check one & sign in front of Notary Public)

Personally appeared before me on _____, 20____,
and stated under oath that s/he had read
the foregoing document, understood it,
and signed it voluntarily in my
presence.

NOTARY PUBLIC

Commission expires: _____

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

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

ACKNOWLEDGMENT OF SERVICE AND CONSENT TO LEGITIMATION

1.

Acknowledgement of Service

_____, the natural mother of _____, hereby acknowledges that she has received a copy of the foregoing Petition to Legitimate the said _____ and to change his/her name from _____ to _____, and she hereby waives any and all further service or notice of any nature in this proceeding.

2.

Consent to legitimation and change of name

The mother hereby consents to the judicial legitimization of

and the change of his/her/their surname(s) from _____
to _____.

Non-interference with affection toward either parent

3.

☐ 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.

4.

Custody (Check a, b, or c)

☐ a) The ☐ Father/ ☐ Mother shall have the temporary and permanent legal and physical custody of the minor child (ren).

☐ b) The Father and Mother shall share joint legal custody of the minor child(ren). The parties shall share decision-making concerning the children; however, the ☐ Father/ ☐ Mother 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 ☐ Father/
☐Mother as follows:

Secondary physical custody shall be with the ☐ Father/ ☐ Mother as follows:

☐ c) The Father and Mother 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 ☐ Father/ ☐ Mother shall have the final decision concerning

5.

Visitation (Choose a or b)

☐ a) The ☐ Father/ ☐ Mother shall have the right of visitation with the minor children as follows:

[OR]

- ☐ 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. Your papers will NOT be accepted for filing unless you complete and attach the Child Support Worksheet.

6.

- ☐ The ☐ Father/☐ Mother shall pay to the ☐ Father/☐ Mother, 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.

Manner of Payment of Child Support (Check a or b)

- ☐ a) All payments of child support shall be paid directly to the ☐ Father/☐ Mother 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 ☐ Father/ ☐ Mother 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 to Georgia Child Support Enforcement pursuant to an Income Deduction Order.

7.

Health Insurance

☐ The ☐ Father/ ☐ Mother 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 Father and Mother as follows:

The ☐ Father/ ☐ Mother 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.

This _____ day of _____, 20_____.

MOTHER

Notary Public

My commission expires: _____

FATHER

Notary Public

My commission expires: _____

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

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

**AFFIDAVIT SUPPORTING ACKNOWLEDGEMENT OF SERVICE AND
CONSENT TO LEGITIMATION**

STATE OF GEORGIA

COUNTY OF _____

Personally appeared before the undersigned officer authorized to administer oaths,
_____, who states under oath that she is the natural
mother of _____, a child born out of
wedlock on _____, 20__, in _____ County,
State of _____. The natural father of said child is _____,
who is the petitioner named in the Petition to Legitimate the said _____.

_____.
The above Acknowledgment of Service and Consent to Legitimation was voluntarily
and freely made by me on _____, 20__.

Affiant Mother

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.	)	

CERTIFICATE OF SERVICE

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

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

This _____ day of _____, 20____.

Plaintiff *pro se*

Address _____

Telephone Number _____

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

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

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.

This day of _____, 20_____.

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

IN THE SUPERIOR COURT OF _____ COUNTY

STATE OF GEORGIA

_____, §
Plaintiff, §
v. § Civil Action
§ File No. _____
_____, §
Defendant. §

DOMESTIC RELATIONS FINANCIAL AFFIDAVIT OF MOTHER

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 credits (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 Wage \$ _____
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)

3. 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: premarital, gift, inheritance, source of funds, etc.)

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

Tax Refund
owed you: \$ _____

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 \$ _____

Property taxes \$ _____

Cable TV \$ _____

Misc. household and
grocery items \$ _____

Homeowner/Renter Insurance \$ _____

Electricity \$ _____

Water \$ _____

Garbage and Sewer \$ _____

Telephone: \$ _____

residential line: \$ _____

cellular telephone: \$ _____

Gas \$ _____

Repairs and maintenance: \$ _____

Lawn Care \$ _____

Pest Control \$ _____

Meals outside the home \$ _____

Other \$ _____

AUTOMOBILE

Gasoline and Oil \$ _____

Repairs \$ _____

Auto Tags and license \$ _____

Insurance \$ _____

OTHER VEHICLES

(boats, trailers, RVs, etc.)

Gasoline and oil \$ _____

Repairs \$ _____

Tags and license \$ _____

Insurance \$ _____

CHILDREN'S EXPENSES

Child care (total monthly cost) \$ _____

School tuition \$ _____

Tutoring \$ _____

Private lessons (e.g., music, dance) \$ _____

School supplies/expenses \$ _____

Lunch Money \$ _____

Other Educational Expenses (list)

_____ \$ _____

_____ \$ _____

Allowance \$ _____

Clothing \$ _____

Diapers \$ _____

AFFIANT'S OTHER EXPENSES

Dry cleaning/laundry \$ _____

Clothing \$ _____

Medical, dental, prescription
(out of pocket/uncovered expenses)
\$ _____

Affiant's gifts
(special holidays)
\$ _____

Entertainment \$ _____

Recreational Expen. \$ _____
(e.g., fitness)

Vacations \$ _____

Travel Exp/Visitation \$ _____

Publications \$ _____

Dues, clubs \$ _____

Religious and charities \$ _____

Pet expenses \$ _____

\$ _____

\$ _____

\$ _____

§ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

Health \$

100

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

Relationship of Beneficiary: _____

\$ _____

\$ _____

\$ _____

(please check one)

(please check one)

To Whom: Balance Due Monthly Joint Plaintiff Defendant

Balance Due

Monthly
Payment

Joint

Plaintiff

Defendant

[illegible]

TOTAL MONTHLY PAYMENTS TO CREDITORS: \$ _____

C. TOTAL MONTHLY EXPENSE: \$ _____

This _____ day of _____, 20 _____.

Affiant

Notary Public

My Commission expires: _____

IN THE SUPERIOR COURT OF _____ COUNTY

STATE OF GEORGIA

_____, §
Plaintiff, §
v. § Civil Action
File No. _____
_____, §
Defendant. §

DOMESTIC RELATIONS FINANCIAL AFFIDAVIT OF FATHER

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 credits (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 Wage \$ _____
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)

3. 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: premarital, gift, inheritance, source of funds, etc.)

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

Tax Refund
owed you: \$ _____

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 \$ _____

Electricity \$ _____

Water \$ _____

Garbage and Sewer \$ _____

Telephone: \$ _____

residential line: \$ _____

cellular telephone: \$ _____

Gas \$ _____

Repairs and maintenance: \$ _____

Lawn Care \$ _____

Pest Control \$ _____

Meals outside the home \$ _____

Other \$ _____

AUTOMOBILE

Gasoline and Oil \$ _____

Repairs \$ _____

Auto Tags and license \$ _____

Insurance \$ _____

OTHER VEHICLES

(boats, trailers, RVs, etc.)

Gasoline and oil \$ _____

Repairs \$ _____

Tags and license \$ _____

Insurance \$ _____

CHILDREN'S EXPENSES

Child care (total monthly cost) \$ _____

School tuition \$ _____

Tutoring \$ _____

Private lessons (e.g., music, dance) \$ _____

School supplies/expenses \$ _____

Lunch Money \$ _____

Other Educational Expenses (list)

_____ \$ _____

_____ \$ _____

Allowance \$ _____

Clothing \$ _____

Diapers \$ _____

AFFILIANT'S OTHER EXPENSES

Dry cleaning/laundry \$ _____

Clothing \$ _____

Medical, dental, prescription
(out of pocket/uncovered expenses)

\$ _____

Affiant's gifts
(special holidays) \$ _____

Entertainment \$ _____

Recreational Expen. \$ _____
(e.g., fitness)

Vacations \$ _____

Travel Exp/Visitation \$ _____

Publications \$ _____

Dues, clubs \$ _____

Religious and charities \$ _____

Pet expenses \$ _____

Medical, dental, prescription
(out of pocket/uncovered expenses) \$ _____

Alimony paid to
former spouse \$ _____

Grooming, hygiene \$ _____

Child support paid for other
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)

(please check one)

To Whom:	Balance Due	Monthly	Joint	Plaintiff	Defendant

Balance Due

Monthly
Payment

Joint

Plaintiff

Defendant

[illegible]

TOTAL MONTHLY PAYMENTS TO CREDITORS: \$ _____

C. TOTAL MONTHLY EXPENSE: \$ _____

This _____ day of _____, 20 _____.

Affiant

Notary Public

My Commission expires: _____

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

Plaintiff,	)	
	)	Civil Action
vs.	)	Case Number _____
	)	
Defendant.	)	
	)	

PARENTING PLAN

() The parties have agreed to the terms of this plan and this information has been furnished by both parties to meet the requirements of OCGA Section 19-9-1. The parties agree on the terms of the plan and affirm the accuracy of the information provided, as shown by their signatures at the end of this order.

() This plan has been prepared by the judge.

This plan () is a new plan.

() modifies an existing Parenting Plan dated _____.

() modifies an existing Order dated _____.

Child's Name	Date of Birth

I. Custody and Decision Making:

A. Legal Custody shall be (choose one:)

- () with the Mother
- () with the Father
- () Joint

B. Primary Physical Custodian

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

	d/o/b:	☐ Mother	☐ Father	☐ Joint
	d/o/b:	☐ Mother	☐ Father	☐ Joint
	d/o/b:	☐ Mother	☐ Father	☐ Joint
	d/o/b:	☐ Mother	☐ Father	☐ Joint
	d/o/b:	☐ Mother	☐ Father	☐ 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

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

Notary Public

Mother's Signature

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

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. CIVIL ACTION NUMBER: _____
_____, Defendant.		

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:

1. **Gross Income:** The Father's gross monthly income (before taxes) is \$ _____; the Mother's monthly income (before taxes) is \$ _____.
2. **Number of Children:** The number of children for whom support is being provided in this Order is _____.
3. **Attachments:** The *Child Support Worksheet* and *Schedule E* are attached and made a part of this Addendum, along with other applicable Schedules.
4. **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.**

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:

Plaintiff,

V.

Defendant

))))))))))

) Civil Action File No. _____

The above matter having been heard, it is therefore the judgment of this Court that _____ is hereby declared to be legitimate and to be the legitimate child of _____, and capable of inheriting from the father in the same manner as if born in lawful wedlock, and from henceforth the name by which said child shall be known shall be _____

FURTHER ORDERED:

- ☐ The Court orders visitation 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 Non-custodial Parent shall be _____.

(c) The Court finds that the amount of the Non-custodial 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 Non-custodial 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 Non-custodial 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 | _____ G. Alimony |
| _____ B. Low Income | _____ H. Mortgage |
| _____ C. Other Health-Related Insurance | _____ I. Permanent Plan or Foster Care Plan |
| _____ D. Life Insurance | _____ J. Extraordinary Expenses |
| _____ E. Child and Dependent Care Tax Credit | _____ K. Parenting Time |
| _____ F. Travel Expenses | _____ 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 Non-custodial Parent is \$ _____

(c) The Court finds as set on the "Child Support Worksheet" the Final Amount of Child Support the Non-custodial 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 Non-custodial Parent's allocated Uninsured Health Care Expenses based on their pro rata responsibility is \$ _____ %

The Non-custodial 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 Non-custodial 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.

SO ORDERED this _____ day of _____, 20____.

JUDGE, Superior Courts

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

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

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

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 _____
MM-DD-YYYY

Case Number _____

Case Style _____

Plaintiff(s)

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

Defendant(s)

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

Reporting Party _____

Plaintiff's Attorney _____

Bar Number _____

Self-Represented ☐

Defendant's Attorney _____

Bar Number _____

Self-Represented ☐

Manner of Disposition

Check Only One

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

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

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: _____

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.

DEFENDANT

GARNISHEE

Name and Address of Party to be served

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 _____, _____.

DEPUTY