

INSTRUCTIONS FOR FILING A PRO SE DIVORCE WITHOUT CHILDREN

PLEASE READ:

- **PLEASE REVIEW THESE INSTRUCTIONS CAREFULLY AND FILL OUT THE APPROPRIATE FORMS.** For all forms that are to be notarized, please have them notarized before filing with the clerk.
- An "Uncontested" divorce means that you and your spouse agree on **ALL** of the terms and conditions of the divorce, including property settlement, financial support, etc.
- A "Contested" divorce means that you and your spouse **DO NOT AGREE** on all of the terms and conditions, therefore, you and your spouse **MUST ATTEND MEDIATION WITH THE ALTERNATIVE DISPUTE RESOLUTION PROGRAM BEFORE OBTAINING A COURT DATE.** (An instruction packet for mediation procedures can be obtained at the clerk's office).
- **PLEASE READ THROUGH THIS ENTIRE PACKET AT LEAST ONE TIME BEFORE COMPLETING ANY OF THE PAPERWORK. MANY QUESTIONS CAN BE ANSWERED JUST BY CAREFULLY REVIEWING THE INSTRUCTIONS.**

NO AUTHORITY TO GIVE LEGAL ADVICE

State law, O.C.G.A. § 15-19-51, prohibits court personnel (including staff attorneys or law clerks, calendar clerks, clerk's office staff, and sheriff's department staff) from giving legal advice or answering legal questions.

USE THESE FORMS AT YOUR OWN RISK

In no event will the Clerk of Court, Court Administrator or anyone contributing to the development of these forms or instructions be liable for any damages resulting from the use of this packet. These forms may not be appropriate for your particular case. In addition, due to the changing nature of the law, the information in these instructions and forms may be or become outdated. You should review any statutes (laws) mentioned in this packet to make sure the forms are current. **It is strongly recommended that you obtain the services of an attorney.**

IMPORTANT

Note that forms provided here must each be filed separately with the court clerk. Do **NOT** file the forms in this packet together as a single document. Each form should be filed **SEPARATELY**.

INSTRUCTIONS FOR FILING THIS PETITION FOR DIVORCE

This form packet is for people who want to file their own divorce in the Griffin Judicial Circuit, and who do not have minor children together with their spouse.

Please read these instructions and each form very carefully. Missing or misreading a word could cause you to make serious errors in your case, placing your rights and the direction of your divorce case in jeopardy. **Please also note this packet does not cover every legal issue that may come up in a divorce. Whether your case is contested or uncontested, to protect your legal rights, it is always recommended that you speak with an attorney experienced in domestic relations (family law) before signing or filing any documents. Even if you have no marital property or joint debt, you may especially need to hire an attorney to represent you if:**

- An attorney represents your spouse.
- You are a victim of family violence against you by your spouse.
- You are unable to locate your spouse to have him/her served with this action.
- You want an arrangement for custody or visitation that does not exactly fit these forms.
- You and your spouse have a house, pension, or large amounts of property or income to be divided.
- You think you may have difficulty getting financial information from your spouse.

As part of its Consumer Pamphlet Series, the State Bar of Georgia publishes a pamphlet entitled “Divorce.” This short, easy-to-read document contains a series of common questions and their answers and may be very helpful to you. A copy of the pamphlet can be downloaded from http://www.gabar.org/communications/consumer_pamphlet_series/divorce/.

I. INTRODUCTION

In the State of Georgia, if you want to end your marriage, you must file a Petition for divorce in the Superior Court. There are two options available to you for filing a divorce case: (1) you can hire a lawyer who will prepare your paperwork and represent you in court; or (2) you can use the forms included in this packet and represent yourself in court (referred to as “Pro Se”). After a court grants your divorce and issues a final judgment and decree of divorce, you will be legally able to remarry.

It is advisable to speak with a lawyer before filing any action with the court. This divorce is no exception to that rule. There are often more issues involved in a divorce than you might realize if you fail to get legal advice. However, you may want to review the forms and instructions in this packet before you talk to a lawyer, so that you will be able to make the best use of your time with the lawyer.

Dissolution of a marriage can be a very complicated process. If documents are not completed, signed, notarized and filed in compliance with the law, then a judge cannot grant your request for divorce and may dismiss your case.

If you want a court to grant your divorce, **you must follow the law and you must complete each and every paragraph that applies to your case** (but not any paragraphs that do not apply to your case).

Finding basic legal information:

“O.C.G.A.,” followed by a symbol (“§”) and number, refers to a specific section (“§”) in the Official Code of Georgia Annotated (O.C.G.A.). You can find the annotated Georgia Code in print at some libraries (including the Fayette County Law Library at 1 Center Drive, Fayetteville, GA). The unannotated Georgia

Code is available on the Georgia General Assembly's website at: www.legis.state.ga.us.

“USCR,” followed by a number, refers to a specific rule in the Uniform Superior Court Rules (USCR). USCR 24.1 through 24.9 includes several rules that apply in domestic relations cases (a divorce is considered a domestic relations case). The Uniform Superior Court Rules are available on the Georgia Judicial Branch website at www.georgiacourts.org (under “Courts” and then under “Court Rules”).

Some other helpful websites are www.legalaid-ga.org or www.findlaw.com.

II. **BASIC STEPS FOR OBTAINING A DIVORCE IN THE GRIFFIN JUDICIAL CIRCUIT**

Your case may require different or additional steps, so please read through the entire instructions carefully.

1. Carefully read all of these instructions at least once before filling out the forms.
2. Choose the set of forms applicable to your circumstances in section III of this document and complete them, using the instructions following each form.
3. Make three complete sets of all the papers you are going to file. Then, separate them into three packets: (1) all of the originals (to be filed in the respective Clerk of Court's office for the Court) – **do not staple this set together**, (2) one set of copies for your spouse (called the “service copy”), and (3) one set of copies for you to keep for your records.
4. Give one set of complete copies to your spouse. You have three options for “serving” the documents to your spouse. You must choose only one.
 - a. Acknowledgement of Service – You know where your spouse lives and you wish to give a copy of the documents to him/her in person. Your spouse would then sign an *Acknowledgement of Service* Form.
 - b. Served by the Sheriff's Office – You know where your spouse lives and you wish to pay the Sheriff's Office to deliver a copy of the documents. (As of this writing, the fee is \$50.00.) You must then complete a Sheriff's Entry of Service. Upon completion of this form, you must pay the \$50.00 for service to the Clerk's office and also give the clerk the Sheriff's Entry of Service form.
 - c. By Publication – If you do not know where your spouse lives or works and the divorce packet sent by Certified Mail to the last known address of the Respondent is returned to the Clerk's Office, you must complete the Affidavit of Due Diligence, Notice of Publication, and Order of Publication and follow the directions for each of these documents.
5. File your original signed and notarized set of divorce papers with the respective Clerk of Courts. There is a \$212.50 filing fee, Spalding County is \$210.50 (cash or money order). The Clerk will provide you with your case number, the name of the Judge assigned to the case and your court date. You will enter this information in the appropriate space on all forms.
6. When filing your forms, do NOT file them as a single packet. File each form as a separate document with the court clerk.
7. After filing your original forms with the respective Clerk of Courts, send or hand deliver the Respondent a copy. If you used “By Publication” for service, follow the directions on the Notice of Publication for this step.
8. Before your hearing date, follow the directions to complete the applicable portions of the *Final*

Judgment and Decree of Divorce and Domestic Relations Case Final Disposition Information Form.

9. Go to your hearing on the scheduled Court date and time. Bring the original copies of the partially completed *Final Judgment and Decree of Divorce and Domestic Relations Case Final Disposition Information Form*. Note: If you are unfamiliar with the Courts, proper attire is required. Additionally, make sure to turn your cell phone off before entering the courtroom (the Judge may hold you in contempt of court and assess a large fine against you).
10. Take your signed *Final Judgment and Decree of Divorce and Domestic Relations Case Final Disposition Information Form* to the Clerk of Courts for filing after your hearing.

III. FORMS YOU WILL NEED TO START AND COMPLETE YOUR DIVORCE

This is a checklist for your assistance. All forms “A” through “I” must be completed and filed initially with the Clerk’s Office. Form “J” must be filed if you and your spouse wish to schedule a court date as soon as possible after the 31 days from date of service. Forms “K” and “L” will be needed to take to court on the day of your hearing. Depending on your choice of service you will file either Form “M”, or Form “N” or Forms “O”, “P” and “Q” (these three go together). Please make sure you file each form separately with the court clerk.

Check As Completed	Name of Form	Form Reference #
<input type="checkbox"/>	Petition For Divorce	A
<input type="checkbox"/>	Summons	B
<input type="checkbox"/>	Verification	C
<input type="checkbox"/>	Domestic Relations Financial Affidavit	D
<input type="checkbox"/>	Domestic Relations Case Filing Information Form	E
<input type="checkbox"/>	STATE OF GEORGIA: Report of Divorce, Annulment or Dissolution of Marriage	F
<input type="checkbox"/>	Settlement Agreement	G
<input type="checkbox"/>	Affidavit for Pro Se Divorce Filings	H
<input type="checkbox"/>	Notice of Hearing & Certificate of Service	I
<input type="checkbox"/>	Consent to Trial 31 Days After Service	J
<input type="checkbox"/>	Final Judgment and Decree of Divorce	K
<input type="checkbox"/>	Domestic Relations Case Final Disposition Information Form	L
	Service of Process (choose only one of the 3 ways for service)	
<input type="checkbox"/>	Acknowledgement of Service/Consent to Personal Jurisdiction and Venue	M
	OR	
<input type="checkbox"/>	Sheriff’s Entry of Service	N
	OR	
<input type="checkbox"/>	Notice of Publication	O
<input type="checkbox"/>	Affidavit of Due Diligence	P
<input type="checkbox"/>	Order of Publication	Q

DETAILED INSTRUCTIONS FOR COMPLETING ALL FORMS:

Instructions For Completing Form A: Petition For Divorce

➤ Caption (Heading)

Fill in your full name as the Petitioner, and your spouse's full name as the Respondent. Do not fill in the "Civil Action File No." The clerk will assign a number to your case when you file your *Petition* in the Clerk's office. After completing the heading, write your full name again in the space provided just before Paragraph 1.

➤ Paragraph 1: Subject Matter Jurisdiction

CHECK ONLY ONE BOX

Check box "(a)" if you have been a resident of the State of Georgia for at least six (6) months immediately before filing your *Petition*. (It is not good enough if you used to live in Georgia in the past, moved away, and have returned more recently than six months ago.)

Check box "(b)" if you are not a resident of the State of Georgia, but your spouse has been living in Georgia for at least the past six (6) months. (It is not good enough if your spouse used to live in Georgia in the past, moved away, and has returned more recently than six months ago.)

Note: If you live in Georgia, but have not lived here for a full six months, but your spouse has been living here for at least the past six months, you may still use the *Petition for Divorce* and file in Georgia. Just check box "(b)" and cross out the first eleven words ("I am not a resident of the State of Georgia, but"), so that the sentence is accurate.

➤ Paragraph 2: Venue

Note: The issue of venue in a divorce action is very complicated, and can result in your case being defective if it is not addressed properly. Read these instructions very carefully. If your situation does not seem to fit any of the choices exactly, you should talk to a lawyer. You may not be able to file your case in the county you intend, or you may need to make very specific changes to this form. You should also talk to a lawyer if the Respondent is currently incarcerated (where a person is currently *living* does not always mean he/she *resides* there under the law).

On the first line, write your spouse's name in the space provided. Then *CHECK ONLY ONE BOX*

Check box "(a)" if the Respondent currently resides in the county you are filing in..

Check box "(b)" only if **all** of the following are true:

- the Respondent is not a resident of the county you are filing in but resides in Georgia;
- the two of you lived together in the county you are filing in at the time you separated;
- you still live in the county you are filing in; and
- the Respondent has moved out of the county you are filing in only within the past six (6) months prior to you filing this *Petition for Divorce*.

Check box "(c)" if the Respondent is not a resident of the county you are filing in but resides in Georgia

and has acknowledged service of process and consented to the jurisdiction and venue of this Court, by completing both parts of the form that contains the *Acknowledgment of Service and Consent to Personal Jurisdiction and Venue*. (You must file the original signed and notarized form with the *Petition for Divorce*.) You must currently live in the county you are filing in to check this box.

Check box “(d)” if you live in the county you are filing in and the Respondent is not a resident of the State of Georgia, but he/she has acknowledged service of process and has consented to the jurisdiction of the Court, by completing both parts of the form that contains the *Acknowledgment of Service and Consent to Personal Jurisdiction and Venue*. (You must file the original signed and notarized form with the *Petition for Divorce*.)

➤ **Paragraph 3: Service of Process**

- a. Acknowledgement of Service – You know where your spouse lives and you wish to give a copy of the documents to him/her in person. Your spouse would then sign an *Acknowledgement of Service* Form.
- b. Served by the Sheriff’s Office – You know where your spouse lives and you wish to pay the Sheriff’s Office to deliver a copy of the documents. (As of this writing, the fee is \$50.) You must then complete a Sheriff’s Entry of Service. Upon completion of this form, you must pay the \$50.00 for service to the Clerk’s office and also give the clerk the Sheriff’s Entry of Service form.
- c. By Publication – If you do not know where your spouse lives or works and the divorce packet sent by Certified Mail to the last known address of the Respondent is returned to the Clerk’s Office, you must complete the Affidavit of Due Diligence, Notice of Publication, and Order of Publication and follow the directions for each of these documents.

➤ **Paragraph 4: Date of Marriage**

CHECK ONLY ONE BOX

Check box “(a)” if you and the Respondent were married with a license and a ceremony, such as one by a clergyman or by a judge at the courthouse. Write the date of the marriage in the space provided.

Check box “(b)” if you and the Respondent did not have a marriage license and a ceremony, but you believe you have established a common law marriage. Under Georgia law, this generally means that you and the Respondent lived together and held yourselves out as husband and wife before January 1, 1997. Write the date you began your common law marriage on the space provided.

➤ **Paragraph 5: Date of Separation**

In the space provided, write the last date that you and the Respondent separated and remained separated up to the present time. Provide only one date. If you and the Respondent have separated, gotten back together, and then separated again, use the date of the most recent separation.

➤ **Paragraph 6: Settlement Agreement**

You are explaining that you expect that the Respondent will sign a written settlement agreement acknowledging that you have no children, and have agreed on any marital property or joint debt. A

Settlement Agreement is included with this packet. You must file the *Settlement Agreement* as a separate document along with your *Petition* when you file. The parties must agree voluntarily and this document must be signed by both parties in front of a notary public.

➤ **Paragraph 7: Child(ren)**

You are agreeing that you have no children together and the Wife is not pregnant.

➤ **Paragraph 8: Restore Former Name**

Optional: Check this box only if you want the Court to restore your former or maiden name. On the space provided, write the name you want to have restored. This case is not a name change action and cannot be used for anyone except the wife. You cannot request your spouse's name be restored.

➤ **Paragraph 9: Grounds for Divorce**

This paragraph explains to the Court that the basis for your divorce is that there is no hope that you and the Respondent can save this marriage. This option is the language for grounds in most cases. It is the basis for granting a divorce when fault is not proven.

➤ **Final Paragraph: Request for Relief**

CHECK THE BOXES THAT APPLY

Check box “(a)” if you want the Court to grant you a total divorce from the Respondent.

Check box “(b)” if you want the *Settlement Agreement* signed by you and the Respondent to be incorporated in the Final Judgment and Decree of Divorce. Make sure you have also completed Paragraph 6 and that both parties have signed the *Settlement Agreement* in front of a notary public.

Check box “(c)” to allow for the relief you have requested in the *Petition for Divorce*.

- **To finish filling out this *Petition for Divorce*,** add the date on which you are signing it, sign your name in the space provided on the last page, write your address and a daytime telephone number where the Court staff could reach you if necessary. However, if you are living in a shelter for victims of family violence, **DO NOT LIST THE ADDRESS OF THE SHELTER.** To do so would violate O.C.G.A. § 19-13-23. Instead, on the space for the address, list only the name of the shelter and the state where it is located. Also, if the Respondent does not know your address or phone number and it should be kept confidential because of family violence, do not write that address or phone number here. Instead, you should write another address here, where you can be sure that you will receive any information that is mailed to you by the Court or the Respondent.

Instructions For Completing Form B: Summons

Complete and file as a separate document along with the *Petition of Divorce*. Enter Petitioner's and Respondent's name and fill in Civil Action File Number (provided by the Clerk's office).

Instructions For Completing Form C: Verification

The *Verification* form must be filed as a separate document along with the *Petition for Divorce*. In the caption (heading), insert your name as the Petitioner and your spouse's name as the Respondent. Do not fill in the Civil Action Case Number. The clerk will assign a number to your case when you file your case in the Clerk's office. Insert your name in the space underneath the word "Verification," which is the title of this document.

Before you sign this *Verification*, remember that you will be swearing under oath that the information you have provided in the *Petition for Divorce* is true and correct to the best of your knowledge and belief. Therefore, you should re-read your *Petition for Divorce* one more time, from start to finish, to make sure it is all true. When your forms are ready, sign your name on the *Verification* in front of the notary public in the space provided, and check the box to indicate that you are the Petitioner. The notary must complete the rest of the *Verification* form after you sign it under oath.

Instructions For Completing Form D: Domestic Relations Financial Affidavit

The *Domestic Relations Financial Affidavit* should be filed as a separate document along with the *Petition for Divorce*. This document specifies your financial circumstances. You are the "Affiant." It is important, as with all of your documents, that you be truthful about the information you are providing. Complete every space on the financial affidavit unless it is specified as optional. If a question is not applicable to your situation, put "N/A" on the line. If the amount is zero, put "0" on the line. Do not leave lines blank.

<p><i>Note:</i> Complete Section 2 of the financial affidavit, "Summary of Affiant's Income and Needs," after you have completed all of the other sections. You will use totals from the other pages for this summary.</p>
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Instructions For Completing Form E: Domestic Relations Case Filing Information Form (this form will be provided in packets from the Clerk's office or can be downloaded at www.fayetteclerk.com).

The *Domestic Relations Case Filing Information Form* should be filed with the *Petition for Divorce*. Fill in the name of the county you are filing in as the County, your complete name as the Petitioner (including your maiden name, if applicable) and your spouse's complete name as the Respondent. Leave blank the second lines under Petitioner and Respondent. After the title "Petitioner/Petitioner's Attorney", check the box for "Pro se" and leave the next line and the line after "Bar #" blank. In the large box on the left half the page, check the box for "Divorce" and the "No" box after the words "Contested," "Child Custody Issue," and "Child Support Issue."

If there is no family violence, check "No" for all three questions in the "Family Violence" box. If there is, we strongly urge you to consult a lawyer.

In the "Other" box, check "no" to the first box (unless you and your spouse have gone through arbitration). If you have children, you should check "yes" to the second and last two boxes and then select the box that applies to the terms of the custody you and your spouse have agreed. If you have

no children, leave this portion blank.

Instructions For Completing Form F: STATE OF GEORGIA: Report of Divorce, Annulment or Dissolution of Marriage Form (this form will be provided in packets from the Clerk’s office or can be downloaded from the internet – Form 3907).

The *STATE OF GEORGIA Report of Divorce, Annulment or Dissolution of Marriage Form* should be filed as a separate document along with the *Petition for Divorce*. Complete items 4 through 15. On item 14, you will need to write the Code section that applies to your divorce. Since you are filing because the marriage is “irretrievably broken,” write “19-5-3(13).”

Instructions For Completing Form G: Settlement Agreement (example)

A *Settlement Agreement* should be filed as a separate document along with the *Petition for Divorce*. You are *required* to complete this step before filing your divorce papers. If you do not think your spouse will sign the papers with this packet, do not use this packet. If you and your spouse have reached or can reach an agreement about **all** issues arising out of the marital relationship, you may use the *Settlement Agreement* with this packet to formalize your agreement in writing. The *Settlement Agreement* included herein is a sample. You and your spouse may amend (change) any of the terms of the *Settlement Agreement* to match the terms to which you both agree.

Important notes about settlement agreements: Generally, if two parties execute an agreement because they want to settle all of the issues in their divorce, and it is not executed under fraud, duress, accident, or mistake, the agreement is a contract which is binding on both parties. If the agreement is considered by the Court to be a valid agreement, it may be incorporated into the Final Judgment and Decree of Divorce. The Court is not bound to accept your agreement (particularly when it comes to terms that deal with the children – child support and child custody and visitation), but if the judge is satisfied with your agreement, he or she will likely incorporate it into the final decree, binding both of you to the agreement. Therefore, once you and your spouse have executed the agreement, if you want to make any changes to it, you will both have to agree to those changes in writing, unless you can prove it is not a valid agreement.

In short, **DO NOT** execute the *Settlement Agreement* with this packet if it is incomplete, or you and your spouse have agreed to something orally that is not included in the agreement. **DO** contact an attorney if you have any questions at all about an agreement proposed to you by your spouse or if you are unclear about any of the terms included in it. It is **STRONGLY** recommended that you talk with an attorney before signing any agreement.

Additionally, the *Settlement Agreement* included with this packet is just one sample of an agreement you might reach with your spouse. It does not cover every possible scenario that might come up in the future between you and your spouse. If you can hire an attorney to represent you, he or she will be able to help craft an agreement that is tailored to your precise needs.

If you execute an agreement with your spouse, and later believe the agreement is not valid, you will need to contact an attorney to find out what options might be available to you.

Instructions For Completing Form H: Affidavit for Pro Se Divorce Filings

The *Affidavit for Pro Se Divorce Filings Form* should be filed as a separate document along with

the *Petition for Divorce*. The purpose of this document is to determine if anyone assisted you in completing the forms and if you paid them to do it. For questions 1, 2, and 4, circle either YES or NO, depending upon the correct answer. If you circled “Yes” on question 2, answer question 3; otherwise, leave question 3 blank. . If you circled “Yes” on question 4, answer question 5; otherwise, leave question 5 blank. Then add you mailing address and your phone number but do not sign it. You must get this document notarized and you should sign the form in front of the Notary Public. Make sure you get the form notarized before you go to the Clerk’s office to file all your forms.

Instructions For Completing Form I: Notice of Hearing & Certificate of Service

Complete top part of form filling in Petitioner’s and Respondent’s names, fill in the Civil Action Number (provided by clerk’s office) and the Clerk’s office will provide you with a court date, Judge, time of hearing and courtroom. The Certificate of Service must be completed if the Respondent’s address is known. (Copy of Notice must be mailed to Respondent, if address is known). This form should be filed as a separate document.

Instructions For Completing Form J: Consent to Trial 31 Days After Service Form

Enter Petitioner’s and Respondent’s names, enter Civil Action File Number (provided by the Clerk’s office), then the Petitioner and Respondent should date and sign this form before a notary public. This form should be filed as a separate document.

Instructions For Completing Form K: Final Judgment and Decree of Divorce

You will not need the *Final Judgment and Decree of Divorce Form* until the day of your final hearing (so keep it with your folder). Simply add your name as Petitioner and your spouse’s as Respondent. Add the civil action number (case number) when the Clerk gives it to you (when you go to file your initial set of documents with the Clerk).

Instructions For Completing Form L: Domestic Relations Case Final Disposition Information Form (this form will be provided in packets from the Clerk’s office or can be downloaded at www.fayetteclerk.com).

You will not need the *Domestic Relations Case Final Disposition Information Form* until the day of your final hearing (so keep it with your folder). Fill in the spaces for County, Docket # (after you get a case number from the Clerk of Courts), your name, the name of the Respondent, and check the box for “Pro Se.”

Instructions For Completing Form M: Acknowledgement of Service & Consent to Personal Jurisdiction and Venue Form

The *Acknowledgement of Service & Consent to Personal Jurisdiction and Venue Form* should be filed as a separate document along with the *Petition for Divorce*. The two-part *Acknowledgment of Service* and *Consent to Personal Jurisdiction and Venue* form is a form your spouse may complete and sign in front of a notary (and return to you for filing with the Court). Filing this form with your

Petition satisfies the requirement that the Respondent be personally served with the divorce papers (which is done by a deputy or special process server).

Instructions For Completing Form N: Sheriff's Entry of Service Form

The Respondent may be served by the Sheriff's Office. Enter Superior Court, enter Civil Action Number (given by the Clerk's office), enter date you filed the *Petition*, fill in Petitioner's and Respondent's names and then fill in Name and Address of party to be served. This form will be filed with the Clerk with a \$50.00 service fee. The Clerk's office will provide the Sheriff with this form.

Instructions For Completing Forms O, P, and Q: Affidavit of Diligent Search Form; Notice of Publication Form and Order of Publication Form

In this form you will explain to the Court about the steps you took to try to find the Respondent. You must make reasonable efforts to find the Respondent before you fill out the *Affidavit* form. If you know you must use service by publication when you prepare your *Petition for Divorce*, then you should prepare the three listed forms at that time (*Affidavit of Diligent Search Form*, *Notice of Publication Form* and *Order of Publication Form*). However, if you have already filed your divorce case, and have tried to complete service by a different method, you can still request the Court's permission to serve by publication.

If the Court grants permission, the Judge will sign the *Order of Publication*. You must pay the cost of publication (\$80.00). Then, the *Notice of Publication* will be published in the county's official legal newspaper four times (usually four weeks in a row). The *Notice* gives the Respondent a chance to file an Answer, if she or he wants to contest the case.

After it has been published all four times, you should receive an *Affidavit of Publication* from the newspaper, stating that publication is complete. You must bring this *Affidavit of Publication* with you to your hearing, to prove that service by publication has been completed.

Form A

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

_____,)
Petitioner,)
v.) CIVIL ACTION
) FILE NO.: _____
_____,)
Respondent.)

PETITION FOR DIVORCE

My name is _____, and I am representing myself in this divorce action. In support of my case, I state the following:

1.

Subject Matter Jurisdiction: I am the Petitioner in this action, and:

[Check only one of the options below.]

- (a) I have been a resident of the State of Georgia for at least six (6) months immediately prior to filing this action.
- (b) I am not a resident of the State of Georgia, but my spouse has been a resident of the State of Georgia for at least six (6) months immediately prior to my filing of this action.

2.

Venue: My spouse's name is _____. He/she is the Respondent in this action, and:

[Check and complete only one of the options below, (a) through (d).]

- (a) The Respondent is a resident of _____ County, Georgia and, therefore, venue is proper. The Respondent is subject to the personal jurisdiction of this Court.
- (b) The Respondent is a resident of Georgia in _____ County, but the Respondent and I lived together in _____ County at the time we separated. I still reside in _____ County, and the Respondent has only moved away from _____ County within the past six months before the date of my filing this action. Therefore, venue is proper in _____ County. The Respondent is subject to the personal jurisdiction of this Court.
- (c) The Respondent is a resident of Georgia in _____ County, and I live in _____ County. I expect the Respondent will consent to venue in _____ County.

_____ County by executing a *Consent to Personal Jurisdiction and Venue*. If such consent is obtained, I will be filing the signed form with this *Petition*. The Respondent is subject to the personal jurisdiction of this Court.

- (d) The Respondent is not a resident of the State of Georgia, but I am a resident of _____ County, Georgia, making venue in _____ County proper, and I expect the Respondent will consent to the jurisdiction of this Court by executing a *Consent to Personal Jurisdiction and Venue*. If such consent is obtained, I will be filing the signed form with this *Petition*.

3.

Service of Process: The Respondent shall be served as provided under OCGA § 9-11-4, in the following manner:

[Check and complete only one of the options below, (a) through (c).]

- (a) The Respondent will acknowledge service and waive process by signing an *Acknowledgment of Service*. If such acknowledgment is made, I will be filing the signed form with this *Petition*.
- (b) The Respondent may be served by the _____ County Sheriff's Office at the Respondent's address:
_____.
- (c) The Respondent'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. § 9-11-4(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 Respondent, which is _____ within 15 days of filing of the Order of Service by Publication.

4.

Date of Marriage: [Check and complete only one of the following options, (a) or (b).]

- (a) The Respondent and I were lawfully married on _____.
- (b) The Respondent and I are married by common law because we lived together and held ourselves out as husband and wife as of _____, which date is prior to January 1, 1997.

5.

Date of Separation: The Respondent and I last separated on _____, and we have remained in a true state of separation since that date.

6.

Settlement Agreement: The Respondent and I will enter into a written *Settlement Agreement*, which I am asking to be incorporated into the *Final Judgment and Decree for Divorce*. If we enter into a written *Settlement Agreement*, I will be filing it with the Court, together with this *Petition*.

7.

There are no minor children born to the Wife during the marriage of the parties, and she is not pregnant at this time.

8.

Restore Former Name: *[Check the box only if applicable.]*

- My former name is _____, and I am asking the Court to restore that name to me.

9.

Grounds for Divorce: Our marriage is irretrievably broken. The Respondent and I can no longer live together and there is no hope that we will get back together.

FOR THESE REASONS, I REQUEST THE FOLLOWING RELIEF:

[Check all options below that apply.]

- (a) That I be granted a total divorce from the Respondent;
- (b) That any *Settlement Agreement* signed by the parties be incorporated into the *Final Judgment and Decree of Divorce*;
- (c) That the Court enter an order granting the relief I have requested in this *Petition*;

Dated: _____

Petitioner, Pro se *[signature above]*

Name *[printed]*: _____

Address: _____

Phone: () _____

FORM B
SUMMONS

Please see attached instructions for filing – this form will be provided with the Clerk’s packets or attached or can be downloaded at www.fayetteclerk.com

FORM B

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

Civil Action Number _____

PETITIONER

Vs.

RESPONDENT

SUMMONS

TO THE ABOVE NAMED RESPONDENT:

You are hereby summoned and required to file with the Clerk of said court and serve upon the Petitioner's attorney, whose name and address is:

an answer to the Petition 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 Petition.

This _____ day of _____, 20_____.

Clerk of Superior Court

BY _____
Clerk

INSTRUCTIONS: Attach addendum sheet for additional parties, if needed, and make notation on this sheet if addendum sheet is used.

FORM C

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

_____,)
Petitioner,)
v.)
_____,)
Respondent.)

CIVIL ACTION
FILE NO.: _____

VERIFICATION

My name is _____. I hereby swear or affirm, before the undersigned Notary Public, that I have read the following document *Petition for Divorce*, which I am filing with this *Verification*, and the facts stated in the document are true and correct to the best of my knowledge and belief.

This the _____ day of _____, 20_____.

 Petitioner Respondent
[print/type your name]:

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

NOTARY PUBLIC
My Commission Expires:
(Notary Seal)

Form D

PREPARE AND FILE AS A SEPARATE DOCUMENT WITH THE COURT CLERK

FORM D
 IN THE SUPERIOR COURT OF _____ COUNTY
 STATE OF GEORGIA

Petitioner: _____

Vs.

Respondent: _____

Civil Action File

No.: _____

DOMESTIC RELATIONS FINANCIAL AFFIDAVIT

(1) Your Name:		Your Age:
Spouse's Name		Spouse's Age:
Date of Marriage:	Date of Separation:	
Names and birth years of child(ren) for whom support is to be determined in this action:		
Name:	Year of Birth:	Resides With:
Names and birth years of your other child(ren):		
Name:	Year of Birth:	Resides With:
(2) SUMMARY OF YOUR INCOME AND NEEDS: (fill out this part after you complete pages 2-5)		
(a) Gross Monthly Income (from Item 3A below) (before taxes)		\$
(b) Net Monthly Income (from Item 3B below) (after taxes)		\$
(c) Average Monthly Expenses (Item 5A below)		\$
Monthly Payments to Creditors (Item 5B below)		\$
Total Monthly Expenses & Payments to Creditors (Item 5C below)		\$
(3) (a) YOUR 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. Where applicable, income should be annualized.)		

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 CLACULATIONS	\$
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	\$
Worker's Compensations 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.)	\$
TOTAL Gross Monthly Income (also write in 2A on page one)	\$
(3) (b) Net Monthly Income From Employment (deducting only state and federal taxes and FICA) (<i>also write in 2B on page one</i>)	\$
Your Pay Period (i.e. monthly, weekly, etc.):	Number of Exemption Claimed by You for Tax Purposes:
(4) ASSETS	
<i>(List all assets here, including both non-marital and marital property. 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 The total value of each asset must be listed in the "value" column. "Value" means what you feel the item of property would be worth if it were offered for sale.)</i>	

Description	Value	Separate Asset of Husband	Separate Asset of Wife	Basis of the Claim (pre-marital, gift, inheritance, etc.)
Cash	\$	\$	\$	
Stocks, Bonds	\$	\$	\$	
CD's/Money Market Accounts	\$	\$	\$	
Bank Accounts (list each account below, any account numbers should include only the last four digits):				
(1)	\$	\$	\$	
(2)	\$	\$	\$	
(3)	\$	\$	\$	
Retirement Pensions, 401(k), IRA or Profit-Sharing	\$	\$	\$	
Money Owed to You (or Spouse)	\$	\$	\$	
Tax Refund Owed to You	\$	\$	\$	
Real Estate (list properties & mortgages):				
Home	\$	\$	\$	
Debt owed on Home	\$			
Other Real Estate	\$	\$	\$	
Debt owed on Other Real Estate	\$			
Automobiles/Vehicles (list vehicles & amounts owed on each one):				
(1)	\$	\$	\$	
Debt owed on Vehicle (1)	\$			
(2)	\$	\$	\$	
Debt owed on Vehicle (2)	\$			
Life Insurance (net cash value)	\$	\$	\$	
Furniture/Furnishings	\$	\$	\$	
Jewelry	\$	\$	\$	
Collectibles	\$	\$	\$	
Other Assets (specify):	\$	\$	\$	
	\$	\$	\$	
	\$	\$	\$	
TOTAL ASSETS	\$	\$	\$	

(5) (a) AVERAGE MONTHLY EXPENSES FOR YOU AND YOUR HOUSEHOLD			
HOUSEHOLD EXPENSES			
Mortgage or Rent Payments	\$	Gas	\$
Property taxes	\$	Repairs & Maintenance	\$
Homeowner's/Renter's Insurance	\$	Lawn Care	\$
Electricity	\$	Pest Control	\$
Water	\$	Cable TV/Internet Access	\$
Garbage & Sewer	\$	Misc. Household & Grocery Items	\$
Telephones	\$	Meals Outside Home	\$
Residential Lines	\$	Other (specify)	\$
Cellular Telephones	\$		\$
AUTOMOTIVE			
Gasoline & Oil	\$	Auto Tags/Registration/License	\$
Repairs & Maintenance	\$	Insurance	\$
OTHER VEHICLES (boats, trailers, RVs, etc.)			
Gasoline & Oil	\$	Tags/Registration/License	\$
Repairs & Maintenance		Insurance	
CHILDREN'S EXPENSES			
Child Care (total monthly cost)	\$	Allowance	\$
School Tuition	\$	Child(ren)'s Clothing	\$
Tutoring	\$	Diapers	\$
Private lessons (e.g. music, dance)	\$	Medical, Dental, Prescriptions (out-of-pocket uncovered expenses)	\$
School Supplies/Expenses	\$	Grooming/Hygiene	\$
Lunch Money	\$	Gifts from child(ren) to others	\$
Other Educational Expenses (list type & amount)		Entertainment	\$
	\$	Activities (including extra-curricular, school, religious, cultural, etc.)	\$
	\$	Summer Camps	\$
OTHER INSURANCE			
Health Insurance	\$	Life Insurance	\$
Child(ren)'s portion:	\$	Relationship of Beneficiary:	
Dental Insurance	\$	Disability Insurance	\$

Child(ren)'s portion:	\$	Other Insurance (specify)	\$		
Vision Insurance	\$		\$		
Child(ren)'s portion:	\$		\$		
YOUR OTHER EXPENSES					
Dry Cleaning & Laundry	\$	Publications	\$		
Clothing	\$	Dues, Clubs	\$		
Medical/Dental/Prescription (out-of-pocket uncovered expenses)	\$	Religious & Charities	\$		
Your gifts (special holidays)	\$	Pet expenses	\$		
Entertainment	\$	Alimony Paid to Former Spouse			
Recreational Expenses (e.g. fitness)	\$	Child Support Paid for other child(ren)	\$		
Vacations	\$	Date of initial CS order:			
Travel Expenses for Visitation	\$	Other (attach sheet to list)	\$		
TOTAL ABOVE MONTHLY EXPENSES (also write on first line of 2C on page one)			\$		
5 (b) YOUR PAYMENTS & DEBTS TO CREDITORS					
To Whom:	Balance Due	Monthly Payments	(Please check one)		
			Joint	Husband	Wife
	\$	\$			
	\$	\$			
	\$	\$			
	\$	\$			
	\$	\$			
	\$	\$			
Total Monthly Payments to Creditors (also write this total on line 3 of 2C on page one)			\$		
(5) (c) TOTAL MONTHLY EXPENSES (Total Expenses from final line on page 5 + Total Monthly Payments to Creditors above) (also write this total on line 3 or 2C on page one)			\$		

Date

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

Notary Public

My commission expires:

(Sign your name before Notary)

Petitioner Respondent, *Pro se*

Printed Name: _____

Address: _____

Phone: _____

FORM E

DOMESTIC RELATIONS CASE FILING INFORMATION FORM

{Attached or can be downloaded from www.fayetteclerk.com website}

FORM E
Domestic Relations Case Filing Information Form

Superior Court **County** _____ **Date Filed** _____
MM-DD-YYYY

Docket # _____

Plaintiff(s)

Defendant(s)

 Last First Middle I. Suffix Prefix Maiden

 Last First Middle I. Suffix Prefix Maiden

 Last First Middle I. Suffix Prefix Maiden

 Last First Middle I. Suffix Prefix Maiden

Plaintiff/Petitioner's Attorney **Pro Se**

Bar # _____

 Last First Middle I. Suffix

Check Case Type (one or more)

- Divorce (includes annulment)
 - Contested? Yes No
 - Child Custody Issue? Yes No
 - Child Support Issue? Yes No
- Separate Maintenance
- Adoption
- Paternity (includes legitimation)
- Interstate Support Enforcement Action
- Domestication of Foreign Custody Decree
- Family Violence Act Petition

MODIFICATION

- Modification – Custody, Visitation, or Parenting Time
 - Does the modification include a parent selection
by a child who is at least 14 years old? Yes No
- Modification – Child Support and Alimony
- Modification – Child Support
- Modification – Alimony

CONTEMPT

- Contempt – Custody, Visitation, or Parenting Time
- Contempt – Child Support and Alimony
- Contempt – Child Support
- Contempt – Alimony
- Other Domestic Contempt
- Other Domestic Relations Specify _____

FAMILY VIOLENCE

Additional Information – Ex Parte Relief

Did the initial pleading include a request for relief?

- 1. From alleged family violence? Yes No
- 2. Was ex parte relief requested? Yes No
- 3. Was ex parte relief granted Yes No

OTHER

Have the parties agreed to binding arbitration? Yes No
 Have the parties reached a custodial agreement? Yes No

If yes, check one:

- Joint Custody
- Joint Legal Custody
- Joint Physical Custody
- Sole Custody to: _____

Financial Affidavit Submitted? Yes No

Child Support Forms submitted? Yes No

FORM F

**STATE OF GEORGIA: REPORT OF DIVORCE, ANNULMENT OR DISSOLUTION OF
MARRIAGE**

{Attached or can be downloaded from www.fayetteclerk.com website}

FORM F
STATE OF GEORGIA
Report of Divorce, Annulment or Dissolution of Marriage
Type or print all information

1. Civil Action Number	2. Date Decree Granted (mo., day, year)	3. County Decree Granted
4. Wife's Name (first, middle, last)	5. Maiden (Birth) Last Name	6. Date of Birth (mo., day, year)
7. County of Residence	8. Number of This Marriage (1 st , 2 nd , etc.)	
9. Husband's Name (first, middle, last, generation)	10. Date of Birth (mo., day, year)	11. County of Residence
12. Number of This Marriage (1 st , 2 nd , etc.)	13. Date of This Marriage (mo., day, year)	
14. Specify Grounds For Divorce (19-5-3, OCGA)	15. 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.

Form 3907 (Rev. 10-2002)

Form M

PREPARE AND FILE AS A SEPARATE DOCUMENT WITH THE COURT CLERK

FORM M

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

_____ ,)	
Petitioner,)	
)	
v.	)	CIVIL ACTION
	)	FILE NO.: _____
_____ ,)	
Respondent.)	

ACKNOWLEDGMENT OF SERVICE

I am the Respondent in this case. I hereby acknowledge that I have received a copy of the *Petition for Divorce* and any attached documents. I hereby waive any and all further notice, service, and issuance of process. So long as any Judgment in this action incorporates the *Settlement Agreement*, signed by me on _____, 20____, then I waive formal process, further notice, my right to trial 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 App. §521. I give my consent for the Superior Court of Fayette County to hear this matter as soon as possible after thirty-one days.

CONSENT TO PERSONAL JURISDICTION AND VENUE

(Check and complete the paragraph below if you agree with the statement and you live in a county other than _____ County or in another state. You may strike through this paragraph if you do not want it to apply.)

I am the Respondent in this case. I am a resident of _____ County in the State of _____. With the knowledge that I have a constitutional right to a trial by judge or jury on the above matter in the county or state of my residence, I hereby expressly waive and consent to jurisdiction and venue in the Superior Court of _____ County.

Date

Respondent, *Pro se*

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

Printed Name: _____
Address: _____

Notary Public
My commission expires:

Phone: _____

Form G

PREPARE AND FILE AS A SEPARATE DOCUMENT WITH THE COURT CLERK

FORM G

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

_____ ,)	
Petitioner,)	
)	
v.	)	CIVIL ACTION
	)	FILE NO.: _____
_____ ,)	
Respondent.)	

SETTLEMENT AGREEMENT

This agreement (also referred to here as "Agreement" or "Settlement Agreement") is between [name] _____ (also referred to here as "Wife" or [Petitioner / Respondent] " _____ ") and [name] _____ (also referred to here as "Husband" or [Petitioner / Respondent] " _____ "). The parties are married but are currently separated; and

The parties want to settle between themselves all questions of alimony, division of property, debts, and all other rights and obligations arising out of their marital relationship;

THEREFORE, in consideration of the mutual promises and declarations in this Agreement, the parties agree as follows:

1.

SEPARATION. The parties shall continue to live apart and each one shall be free from all interference and control by the other, direct or indirect, as fully as if unmarried, and each may reside at such places as he or she may choose.

2.

ALIMONY.

- Each party expressly waives the right to receive alimony from the other party; OR
- The parties agree that _____ will pay _____, as follows:
 - A one-time sum of \$ _____, to be paid on _____, 20____, (AND/OR)
 - A recurring sum of \$ _____, to be paid every _____, starting on _____, 20____ and ending _____ (enter date or event).

3.

PROPERTY DIVISION. The parties acknowledge that they have already made a division of their marital property, including any real estate, vehicles, household furniture, furnishings, household goods, equipment, bank accounts, pensions and other personal property. Neither party shall claim

Initialed by: Husband _____ Wife _____

any of the property in the possession of the other party as of the date of signing this Agreement.

4.

DEBTS. The parties acknowledge that they:

have no outstanding joint or marital debts; OR

have agreed to the following distribution:

A. Liabilities to be paid by the WIFE. The Wife shall pay the following community or separate liabilities.

<u>Creditor</u>	<u>Amount</u>
_____	_____
_____	_____

Unless otherwise provided herein, the Wife shall pay all liabilities incurred by her since the date of separation.

B. Liabilities to be paid by the HUSBAND. The Husband shall pay the following community or separate liabilities.

<u>Creditor</u>	<u>Amount</u>
_____	_____
_____	_____

Unless otherwise provided herein, the Husband shall pay all liabilities incurred by him since the date of separation.

Both parties agree that all marital debts not specifically listed herein shall be borne equally by both parties. Neither party shall incur any debt or liability in the other party's name from and after the date of signing this Agreement.

5.

There are no minor children born to the Wife during the marriage of the parties, and she is not pregnant at this time.

6.

OTHER PROVISIONS. *[Optional – check and complete this paragraph if applicable.]*

Restraining order. *[Wife / Husband / both parties]* _____ shall be permanently restrained and enjoined from assaulting, beating, wounding, threatening, harassing and stalking *[Wife / Husband / the other party]* _____. By consenting to this provision, *[Wife / Husband / the parties]* _____ in no way admit(s) that such acts were ever done in the past, but agree(s) not to engage in such acts in the future. This provision shall be enforceable by the Court's contempt power.

Initialed by: Husband _____ Wife _____

7.

VOLUNTARINESS OF 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. We understand that we do not have to enter into this Agreement, that we have the right to trial before a judge or jury on all issues that could be raised in this action. We also understand that we have the right to certain discovery procedures that may reveal other income or assets of the other party. We have agreed to enter into this Agreement based on our knowledge of the income and assets of the parties and their written statements in this Agreement. After considering all of this, we have decided to enter into this Agreement freely and voluntarily.

8.

COMPLETENESS OF AGREEMENT. This Agreement constitutes the entire understanding of the parties. There are no representations or promises other than those expressly included in this Agreement. Each party hereby states under oath that the financial representations in this Agreement are accurate and complete, to the best of that party's information, knowledge and belief.

9.

EFFECT OF DIVORCE. Both parties understand that this Agreement does not require them to continue to live separately or to proceed with an action for divorce. However, if either party brings or maintains an action for divorce, this Agreement shall be presented to the Court and incorporated by reference into any judgment concerning the matters covered by the Agreement. Notwithstanding such incorporation, this Agreement shall survive and be enforceable independently of the judgment or decree.

Signature of Wife

Signature of Husband

Date

Date

_____ appeared before me on _____, 20____, and said under oath that she had read and understood this Agreement, and was signing it voluntarily in my presence.

_____ appeared before me on _____, 20____, and said under oath that he had read and understood this Agreement, and was signing it voluntarily in my presence.

Notary Public
My commission expires: _____

Notary Public
My commission expires: _____

FORM H

AFFIDAVIT FOR PRO SE DIVORCE FILINGS

1. Does an attorney at law represent you in connection with this matter, even if his or her name does not appear on these pleadings? **YES / NO**
2. Did any person assist you in the preparation and/or typing of these pleadings? **YES / NO**
3. If the answer to question 2 is yes, what is the name, address and telephone number of each person who assisted you in the preparation and/or typing of these pleadings?

NAME

ADDRESS

PHONE NO.

4. Did you pay a fee or any form of compensation to any of the persons names above? **YES / NO**
5. If the answer to question 4 is yes, how much did you pay to each person?
\$ _____ paid to _____.

I hereby swear and affirm that the answers given to the above questions are true and correct. I have read the Memo to Pro Se Litigants and understand the conditions and requirements specified in the Memorandum. I wish to proceed with the Pro Se filings as presented to the Clerk of the Superior Court.

Petitioner's Signature

<p>_____ Mailing Address (including City, State and Zip Code)</p> <p>(_____) _____ Phone Number – Where you may be reached if there are any questions about your papers.</p> <p>(_____) _____ additional phone number</p>	<p>Sworn to and subscribed before me this _ _ day of _____, 20____.</p> <p>_____, Notary</p> <p>My Commission Expires: _____</p> <p>{SEAL}</p>
---	--

Form I

PREPARE AND FILE AS A SEPARATE DOCUMENT WITH THE COURT CLERK

FORM I

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

_____ ,)	
Petitioner,)	
)	
v.	)	CIVIL ACTION
	)	FILE NO.: _____
_____ ,)	
Respondent.)	

NOTICE OF HEARING

Please place the above stated case on the _____, 20__ Non-Jury
(Month) (Day)
Hearing Calendar, before Judge _____, at _____ A.M., in
Courtroom ___ at _____ for a

_____ Final Uncontested Hearing
 _____ Final Contested Hearing
 _____ Other _____

This _____ day of _____, 20_____.

Petitioner / Respondent

CERTIFICATE OF SERVICE

I have this day served _____ with a copy of this
Notice of Hearing by placing in the United States Mail, with sufficient postage affixed thereto,
to the following address:

Petitioner / Respondent

Form K

PREPARE AND PRESENT TO JUDGE AT FINAL HEARING

FORM K

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

_____)	
Petitioner,)	
)	
v.	)	CIVIL ACTION
	)	FILE NO.: _____
_____)	
Respondent.)	

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 person altogether unconnected by any nuptial union or civil contract whatsoever and both shall have the right to remarry.

The Settlement Agreement between the parties, filed _____ is incorporated herein by reference and made a part of this Final Judgment and Decree. Each party is **ORDERED** and directed to comply with the terms and conditions therein.

Petitioner/Respondent is hereby restored her former surname: _____

Decree entered this _____ day of _____, 20_____.

 JUDGE, SUPERIOR COURTS
 _____ COUNTY
 GRIFFIN JUDICIAL CIRCUIT

FORM L

DOMESTIC RELATIONS CASE FINAL DISPOSITION INFORMATION FORM

{Attached or can be downloaded from www.fayetteclerk.com website}

FORM L
Domestic Relations Case Final Disposition Information Form

Superior Court _____ County _____ Date Disposed _____
MM-DD-YYYY

Docket # _____

Reporting Party _____
Last First Middle I. Suffix Prefix Maiden Title

Name of Plaintiff/Petitioner(s) _____ Name of Defendant/Respondent(s) _____

Plaintiff/Petitioner's Attorney Pro Se
Last First Middle I. Suffix Prefix Maiden

Defendant/Respondent's Attorney Pro Se
Last First Middle I. Suffix Prefix Maiden

Bar # _____
Last First Middle I. Suffix

Bar # _____
Last First Middle I. Suffix

Type of Disposition (Check all that apply)

1. Dismissed Without Final Order
 - A. Voluntary (by parties)
 - B. Involuntary (by court)
2. Pre-Trial Settlement
3. Judgment on the Pleadings
4. Summary Judgment
5. Trial
 - A. Bench Trial
 - B. Jury Trial
 1. Dismissal after jury selected
 2. Settlement during trial
 3. Judgment on Verdict
 4. Directed Verdict or JNOV

ADR

1. Was mediation utilized? Yes No
2. If Yes, was it (check if applicable)
 - court annexed?
 - court mandated?
3. Binding Arbitration Agreement Yes No
 If Yes, what matters were subject:
 - Child Custody
 - Visitation/Parenting Time
 - Parenting Plan

Relief Granted (Check all that apply)

1. Ex Parte Relief
2. Temporary Relief
3. Final Relief
 - a. Divorce/Annulment/Separate Maintenance
 - b. Child Custody

Parenting Plan? Yes No
 Custodial Arrangement? Yes No
 If Yes, check one:
 Joint Custody
 Joint Legal Custody
 Joint Physical Custody
 Sole Custody to: _____
 14 year old parental selection? Yes No
 - c. Visitation or Parenting Time
 Approx. Parenting Time (days per year) _____
 Mother _____ Father _____
 Parenting Time Contested? Yes No
 - d. Child Support
 Forms attached? Yes No
 - e. Legitimation/Paternity
 - f. Alimony
 - g. Contempt
 - h. Equitable Division
 - i. Protective Order
 - Person Property
 - Finding of Family Violence?
 - j. Adoption
 - k. Attorneys Fees:
 If Yes, enter amount: _____
 To whom: _____
 - l. Other (Specify) _____

4. Dismissed prior to granting of relief.

FORM N

SHERIFF'S ENTRY OF SERVICE

{Attached or can be downloaded from www.fayetteclerk.com website}

FORM N

COURT OF _____ COUNTY

STATE OF GEORGIA

SHERIFF'S ENTRY OF SERVICE _____

Superior Court State Court

Civil Action Number _____

Date Filed _____

Plaintiff

Attorney's Address: _____

Versus

Name and Address of Party to be served. _____

Defendant

Garnishee

SHERIFF'S ENTRY OF SERVICE

PERSONAL

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

NOTORIOUS

I have this day served the defendant _____ by leaving a copy of the action and summons at this 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 _____ inches, domiciled at the residence of defendant.

CORPORATION

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.

TACK & MAIL

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 postage affixed thereon containing notice to the defendant(s) to answer said summons at the place stated in the summons.

NON-EST

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

This _____ day of _____, 20 ____.

Deputy

Form P

PREPARE AND FILE AS A SEPARATE DOCUMENT WITH THE COURT CLERK

FORM P

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

_____,)
Petitioner,)
v.) CIVIL ACTION
) FILE NO.: _____
_____,)
Respondent.)

AFFIDAVIT OF DILIGENT SEARCH

I am the Petitioner in this case. I am filing this *Affidavit of Diligent Search* under OCGA §9-11-4 (f)(1)(A). I hereby swear or affirm, before a notary public, that the following information is true:

1.

A diligent search has been made, and the Respondent cannot be found within the State of Georgia. I do not know where the Respondent lives or where the Respondent can be found.

2.

The last known address and telephone number I have for the Respondent is:

To the best of my knowledge, the Respondent still lived at that address as of _____ day of _____ (month), 20_____, but no longer lives there.

3.

I have made the following efforts to find the Respondent:

(a) Checking with the Respondent’s friends, relatives, employers, landlords or others I have listed as follows:

(1) Name of Person Contacted: _____

Contact’s Relationship with Respondent: _____

Contact's Address & Phone Number: _____

Date I contacted this person: _____

Results of Contact/What They Told Me:

(2) Name of Person Contacted: _____

Contact's Relationship with Respondent: _____

Contact's Address & Phone Number: _____

Date I contacted this person: _____

Results of Contact/What They Told Me:

(3) Name of Person Contacted: _____

Contact's Relationship with Respondent: _____

Contact's Address & Phone Number: _____

Date I contacted this person: _____

Results of Contact/What They Told Me:

(4) Name of Person Contacted: _____

Contact's Relationship with Respondent: _____

Contact's Address & Phone Number: _____

Date I contacted this person: _____

Results of Contact/What They Told Me:

(b) Checking telephone information and directories, with the following results:

(c) Asking the Sheriff to attempt service at the Respondent's last known residence
OR

the Respondent's last known place of employment, which was at the following address:

(d) The following other efforts, with the following results:

Subscribed and sworn before me _____
Petitioner, *pro se* (Sign here before notary)

On _____, 20____.

Notary Public

{SEAL}

Form O

PREPARE AND FILE AS A SEPARATE DOCUMENT WITH THE COURT CLERK

FORM O

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

_____ ,)	
Petitioner,)	
)	
v.	)	CIVIL ACTION
	)	FILE NO.: _____
_____ ,)	
Respondent.)	
TO: _____		

NOTICE OF PUBLICATION

By Order for service by publication dated the _____ day of _____,
20____, you are hereby notified that on the _____ day of _____,
20____, _____ filed suit against you for
_____.

You are required to file with the Clerk of the Superior Court and to serve upon
Petitioner _____ an Answer in writing within sixty
(60) days of the date of the order for publication.

WITNESS, the Honorable _____, Judge of
this Superior Court.

This the _____ day of _____, 20_____.

DEPUTY CLERK, SUPERIOR COURT

FOR: _____

FORM Q

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

_____,)
Petitioner,)
v.)
_____,)
Respondent.)

CIVIL ACTION
FILE NO.: _____

SERVICE BY PUBLICATION DATES:

NAME OF PARTY TO BE SERVED:

ORDER OF PUBLICATION

It appearing by Affidavit, that the aboved named Respondent on whom service is to be made in this case resides out of the State, or has departed from the State, or cannot after due diligence, be found within the State, or conceals (him)(her)self to avoid service of the Summons, and it further appearing, either by Affidavit or by verified Petition on file, that a claim exists against the Respondent in respect to whom service is to be made, and that (he)(she) is a necessary or proper party to the action.

IT IS HEREBY CONSIDERED, ORDERED AND DECREED THAT: Service be made by publication as provided by law.

SO ORDERED this _____ day of _____, 20____.

CLERK SUPERIOR COURT _____ COUNTY
GRIFFIN JUDICIAL CIRCUIT

Form J

PREPARE AND FILE AS A SEPARATE DOCUMENT WITH THE COURT CLERK

FORM J

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

_____ ,)	
Petitioner,)	
)	
v.	)	CIVIL ACTION
	)	FILE NO.: _____
_____ ,)	
Respondent.)	

CONSENT TO TRIAL 31 DAYS AFTER SERVICE

Both of the above parties, as indicated by their signatures below, consent to the hearing and granting of a divorce in this action any time thirty-one (31) days after the filing of the acknowledgment of service.

Date: _____
_____ Petitioner, Pro Se

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

Notary Public
My Commission Expires: _____
(Notary Seal)

Date: _____
_____ Respondent, Pro Se

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

Notary Public
My Commission Expires: _____
(Notary Seal)