

INSTRUCTIONS FOR FILING A PRO SE DIVORCE WITH 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 In addition, due to the changing nature of the law, the information in these instructions and forms may be or become outdated.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 have minor children together with their spouse. If you and your spouse do not have minor children together, you should not use this form packet. Instead, use the shorter and simpler version called *Petition for Divorce Without Minor Children*

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 pertaining to 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 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 these 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 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 and assess a large fine against you if it rings in the Courtroom).
10. After your hearing and the Judge has signed your *Final Judgment and Decree of Divorce*, take the *Final* and *Domestic Relations Case Final Disposition Information Form* to the Clerk of Courts for filing.

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

This is a checklist for your assistance. All forms “A” through “J” must be completed and filed initially for filing with the Clerk’s Office. Form “K” 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 “L” and “M” will be needed to take to court on the day of your hearing. Depending on your choice of service you will file either Form “N”, or Form “O” or Forms “P”, “Q” and “R” (these three go together). File each document 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"/>	Child Support Worksheet – www.georgiacourts.org/csc	H
<input type="checkbox"/>	Affidavit for Pro Se Divorce Filings	I
<input type="checkbox"/>	Notice of Hearing & Certificate of Service	J
<input type="checkbox"/>	Consent to Trial 31 Days After Service	K
<input type="checkbox"/>	Final Judgment and Decree of Divorce	L
<input type="checkbox"/>	Domestic Relations Case Final Disposition Information Form	M
	Service of Process (pick only one way for service)	
<input type="checkbox"/>	Acknowledgement of Service/Consent to Personal Jurisdiction and Venue	N
<input type="checkbox"/>	Sheriff’s Entry of Service	O
<input type="checkbox"/>	Notice of Publication	P
<input type="checkbox"/>	Affidavit of Due Diligence	Q
<input type="checkbox"/>	Order of Publication	R

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 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 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 \$50.00.) 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.

➤ **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**

The Respondent and I have entered into a *Settlement Agreement*, which we both want to be incorporated into the *Final Judgment and Decree for Divorce*. The Settlement Agreement has been signed by each of us in front of a notary public, and I am filing the *Settlement Agreement* with the Court, together with this

Petition.

➤ **Paragraph 7: Child(ren)**

If you have no children together and the Wife is not pregnant, choose the first box and go to Paragraph 15 (skipping 8 – 14). If you do have children together or the Wife is pregnant, choose the second box, enter the number of minor (under 18) children and list the name, sex, year of birth and person (mother, father or other) with whom each child resides.

➤ **Paragraph 8: Custody/Visitation**

Only Complete this section if you have minor children together. An uncontested divorce means that you and your spouse agree on everything, including legal and physical custody of the children. Please select the box that reflects who you both want to have legal and physical custody.

***IMPORTANT!** In any case where the court decides custody, the parents must file a Parenting Plan. A Parenting Plan sets out the details of how the parents will share the parenting responsibilities after a divorce or separation. If the parents can agree they can file a joint parenting plan. If the parents don't agree on all the issues, each parent can file a separate parenting plan. A standard form is available for parties to use, but Parenting Plans should be individualized to consider the unique issues in every family. If there is any history of family violence in the relationship, the parent may need a Safety-Focused Parenting Plan. This parenting plan includes special considerations on visitation and safety where there is family violence. This plan should also be changed to meet the family's individual needs. The Parenting Plan must be in substantially the same form as provided herein this packet to comply with O.C.G.A. 19-9-1 and U.S.C.R. 24.10.

➤ **Paragraph 9: Children's Place of Residence**

Only Complete this section if you have minor children together. In the first blank, enter the address (including street, city, state and zip) where the children live now and on the second blank enter with whom they are living (Petitioner, Respondent, or name of other). If they live at different places, write each address and indicate which children reside there and with whom. Then if the children have lived at other addresses within the last five years, list each address and with whom they lived (you, your spouse or someone else). Again, if the children were in different locations at the same time, you need to indicate to which child(ren) each address applies. If the children have lived in the same place indicated in the first blank for the last five years, write "SAME" in the line under Address.

➤ **Paragraph 10: Other Custody Actions**

Only Complete this section if you have minor children together. Check the first box if all of the following apply:

- You have not participated as a party, witness or in any other capacity in custody litigation involving any of the minor children; AND
- You are not aware of any custody proceedings anywhere concerning any of the minor children.

Otherwise, check the second box and write down, for each proceeding, the County and State, the type of custody action, the date filed and the status (i.e., what happened with the proceeding).

➤ **Paragraph 11: Other Persons with Claims to Children**

Only Complete this section if you have minor children together. Check the first box if no one other than you and your spouse has physical custody or custody/visitation rights to any of your minor children. If someone does have custody or visitation rights to any of your children or physical custody of them now, check the second box and list who they are and what claim they have (i.e., physical custody or visitation rights).

➤ **Paragraph 12: Child Support**

Only Complete this section if you have minor children together. Check the first box if you AND your spouse AGREE that no child support should be paid or received. If any child support is to be paid, check the second box and enter your employer and monthly earnings on the first and second line and your spouse's employer and monthly earnings on the third and fourth line. For monthly earnings, enter your gross pay (before taxes and withholdings). If either or both do not have a job, enter "Unemployed" in the space for Employer name. **YOU MUST COMPLETE THE CHILD SUPPORT WORKSHEET.** See Instructions for completing Form H. The third box should not be applicable if your spouse signs the *Consent to Personal Jurisdiction and Venue* portion of Form N.

➤ **Paragraph 13: Health Insurance for Minor Children**

Only Complete this section if you have minor children together. Check the first box if you AND your spouse AGREE on what portion each of you will pay for health insurance and health costs beyond insurance. **Note: Not providing health insurance is not an option.** The third box should not be applicable if your spouse signs the *Consent to Personal Jurisdiction and Venue* portion of Form N.

➤ **Paragraph 14: Life Insurance on Behalf of Minor Children**

Only Complete this section if you have minor children together. Check the first box if you AND your spouse AGREE that neither you nor your spouse must purchase life insurance on behalf of the children. **Note: This is not about buying life insurance on the children.** It is about buying a policy on you or your spouse with the children being named the beneficiary. If you or your spouse is to buy an insurance policy for the benefit of the child(ren), check the second box. Then circle which of you will pay for it (Petitioner or Respondent). Finally, enter the face value of the policy. Once again, the third box should not be applicable if your spouse signs the *Consent to Personal Jurisdiction and Venue* portion of Form N.

➤ **Paragraph 15: Alimony:**

Check only one that applies.

➤ **Paragraph 16: Marital Property:**

Check only one that applies.

➤ **Paragraph 17: Joint or Marital Debts:**

Check only one that applies.

➤ **Paragraph 18: 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 or husband in this divorce action. You cannot request your spouse's name be restored.

➤ **Paragraph 19: 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 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 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 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.

Note: 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.

Instructions For Completing Form E: Domestic Relations Case Filing Information Form

The *Domestic Relations Case Filing Information Form* should be filed with the *Petition for Divorce*. Fill in “Fayette, Spalding, Pike or Upson” 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 mediation). 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

The *STATE OF GEORGIA Report of Divorce, Annulment or Dissolution of Marriage Form* should be filed 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 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 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: Child Support Worksheet

Under Georgia Law you or your spouse will be required to file financial information on an approved “Child Support Worksheet” before the court can consider any calculation of child support. The required worksheet can be found on-line in a Microsoft Excel format at the Child Support Commission website:

www.georgiacourts.org/csc

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

The *Affidavit for Pro Se Divorce Filings From* should be filed 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 your 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 J: 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).

Instructions For Completing Form K: 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.

Instructions For Completing Form L: 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 M: Domestic Relations Case Final Disposition Information Form

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 N: Acknowledgement of Service & Consent to Personal Jurisdiction and Venue Form

The *Acknowledgement of Service & Consent to Personal Jurisdiction and Venue Form* should be filed 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 O: 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 P, Q, and R: 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 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) I expect 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*. Respondent's address is _____.
- (b) The Respondent may be served by the _____ County Sheriff's Office at _____.
- (c) The Respondent's whereabouts are unknown to me. I am filing my *Affidavit of Due Diligence* with this *Petition*. 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 have entered into a written *Settlement Agreement*, which we both want to be incorporated into the *Final Judgment and Decree for Divorce*. The *Settlement Agreement* has been signed by each of us in front of a notary public, and I am filing the *Settlement Agreement* with the Court, together with this *Petition*.

7.

Child(ren): *(Choose only one)*

- The Respondent and I have no minor children together and, if applicable, the Wife in this case is not pregnant with a child of the Husband. If so, skip sections 8 – 14 and proceed to section 15.
- Respondent and I are the parents of _____ minor children, listed below:

<u>Name of Child</u>	<u>Sex (M/F)</u>	<u>Year of Birth</u>	<u>Resides with mother/father/other</u>
----------------------	------------------	----------------------	---

8.

Custody/Visitation: *(Complete only if there are minor children; Choose only one)*

- I am entitled to the temporary and permanent sole legal and physical custody of these children.
- I am entitled to joint legal and primary physical custody of these children.
- I am entitled to joint legal custody of these children. The Respondent will have primary physical custody.

- I am entitled to reasonable visitation with these children.

9.

Children’s Place of Residence: *(Complete only if there are minor children)*

The minor children of the parties currently reside at _____
 _____ with _____. During the past five
 years, the minor children have lived at the following addresses with the following persons:

<u>ADDRESS</u>	<u>RESIDED WITH:</u>
_____	_____
_____	_____
_____	_____

10.

Other Custody Actions: *(Complete only if there are minor children; Choose only one)*

- I have not participated as a party, or witness, or in any capacity in any other litigation concerning the custody of the minor children in this or any other state. I do not know of any custody proceedings concerning the minor children which may be pending in a Court in this or any other state.
- The minor children have been involved in the following custody actions:

<u>County/State Court</u>	<u>Type of custody action</u>	<u>Date Filed</u>	<u>Status</u>
_____	_____	_____	_____
_____	_____	_____	_____

11.

Other Persons with Claims to Children:

(Complete only if there are minor children; Choose only one)

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

visitation rights with the minor children:

Name

Claim

12.

Child Support:

(Complete only if there are minor children; Choose only one)

- Both parties agree that no child support is appropriate.
- I am employed by _____ earning _____ per month. Respondent is employed by _____ earning _____ per month. We agree that the (Petitioner)(Respondent) shall pay the (Petitioner)(Respondent) child support . NOTE: You must complete the Child Support Worksheet before submission of this form.
- The issues of child support cannot be decided in this action because Georgia does not have personal jurisdiction over my spouse.

13.

Health Insurance for Minor Children:

(Complete only if there are minor children; Choose only one)

- We have agreed to split the health costs for the minor children as follows:
 - d. Regarding the costs to maintain a policy for dental, medical and hospitalization insurance for the minor children, Petitioner should be ordered to be _____% of the costs and Respondent should be ordered to pay _____% (the two percentages must equal 100%).
 - e. Regarding any uncovered costs for dental, medical and hospitalization for the minor children, Petitioner should be ordered to be _____% of the costs and Respondent should be ordered to pay _____% (the two percentages must equal 100%).
- The issues of health insurance for the children cannot be decided in this action because Georgia does not have personal jurisdiction over my spouse.

14.

Life Insurance for Minor Children:

(Complete only if there are minor children; Choose only one)

- We have agreed that no life insurance is required to be maintained by either party for the benefit of the children.

- We have agreed that the (Petitioner)(Respondent) should be ordered to maintain a life insurance policy in the amount of \$_____ for the benefit of the minor children.

- The issues of obtaining life insurance for the children cannot be decided in this action because Georgia does not have personal jurisdiction over my spouse.

15.

Alimony:

(Check only one of the following either (a), (b) or (c)).

- (a) I am financially dependent on the Respondent and need the Court to order the Respondent to pay alimony for my support.

- (b) I am not asking for alimony.

- (c) The issue of alimony cannot be decided in this action because the Court does not have personal jurisdiction over the Respondent.

16.

Marital Property:

(Check only one of the following either (a), (b), (c) or (d)).

- (a) The Respondent and I have already divided our marital property, and we are both satisfied with the division.

- (b) The Respondent and I have not obtained any property during our marriage.

- (c) The Respondent and I have obtained the following property during our marriage, and I am asking for a fair division of this property:

House located at

Other real estate, located at

Mobile home (model: _____, year: _____)

Pension (mine, worth \$ _____; Respondent's, worth \$ _____)

Motor vehicles listed here:

Model/year: _____

Model/year: _____

Model/year: _____

Furniture:

Listed here: _____

Listed on separate paper attached to this *Petition*

Bank accounts and/or other investments:

Listed here:

Listed on separate paper attached to this *Petition*

Other property:

Listed here:

Listed on separate paper attached to this *Petition*

(d) The issue of the division of marital property cannot be decided in this case because none of the property is in Georgia and the Court does not have personal jurisdiction over the Respondent.

17.

Joint or Marital Debts:

[Check only one of the following either (a), (b), or (c)].

(a) The Respondent and I do not have any outstanding joint or marital debts.

(b) The Respondent and I have the following outstanding joint or marital debts, and responsibility for paying them should be as listed below:

<u>Creditor</u>	<u>Balance</u>	<u>Who Should Pay</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Listed on separate paper attached to this *Petition*

(c) The issue of dividing joint and marital debts cannot be decided in this case, because the Court does not have personal jurisdiction over the Respondent.

18.

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.

19.

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 custody and visitation for the children be ordered according to Paragraph 8;
- (d) That child support, health insurance, medical expenses and life insurance for the support of the children be ordered according to Paragraphs 12, 13 and 14;
- (e) That the Respondent be ordered to pay me alimony for my support;
- (f) That our marital property be divided according to Paragraph 16;
- (g) That our joint or marital debts be divided according to Paragraph 17;
- (h) That my former or maiden name be restored according to Paragraph 18;
- (i) That the Court order any and all other relief that the Court finds appropriate.

Dated: _____

 Petitioner, Pro se [*signature above*]

Name [*printed*]: _____

Address: _____

Phone: () _____

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

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 year of child(ren) for whom support is to be determined in this action:		
Name:	Year of Birth:	Resides With:
Names and birth year 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) (also write in 2B on page one)	\$
Your Pay Period (i.e. monthly, weekly, etc.):	Number of Exemption Claimed by You for Tax Purposes:

(4) ASSETS

(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.)

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 only include 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 and can be downloaded from www.fayetteclerk.com website}
File as a separate document

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

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 and can be downloaded from www.fayetteclerk.com website}
File as a separate document

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 N

PREPARE AND FILE AS A SEPARATE DOCUMENT WITH THE COURT CLERK

FORM N

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.

(Check only one option below, (a) or (b))

- (a) I hereby waive any and all further notice, service, and issuance of process. I give my consent for the Superior Court of _____ County to hear this matter as soon as possible after thirty-one days.
- (b) 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 _____ 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 WITH MINOR CHILDREN

This is an agreement between _____
(referred to here as "Wife") and _____ (referred to
here as "Husband").

The parties are married but are currently separated; and

They have _____ minor children together, who are listed below:

<u>Child's Name</u>	<u>Year of Birth</u>
_____	_____
_____	_____
_____	_____
_____	_____

The parties want to settle between themselves all questions of custody, visitation,
child support, insurance, 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, as fully as if unmarried, and each may reside at such
places as he or she may choose.

Initialed by: Husband _____

Wife _____

2.

CUSTODY

Check and complete only one of these, either (a) or (b). Do not check both (a) and (b). (If you want a custody arrangement that is not shown here, you should consult an attorney for appropriate language to use in place of this section.)

(a) The _____ shall have sole custody of the child(ren).

(b) The parties shall have joint legal custody of the child(ren).

(c) The _____ shall have primary physical custody of the children, and the parties shall have joint legal custody of them. The parties shall consult each other and try to reach a joint decision on all major issues concerning the children’s education, health care and religious upbringing. However, if the parties are not able to reach a joint decision concerning one of these major issues, then the parent with primary physical custody shall make the final decision on the issue.

3.

VISITATION

The _____ shall have the right of reasonable visitation with the minor children, at any time by mutual consent of the parties, provided that the beginning and ending times of the visitation have been put into writing and signed by both parties before the start of the visitation. In arranging visitation, the parties shall take into consideration the requirements of the children’s school work, their activities, and child care arrangements.

(Check and complete all that apply, from (a) to (d) of this section.)

(a) If the parties cannot agree on specific visitation, the _____ shall have the right to visitation according to the parenting plan attached to this *Settlement Agreement* as “Exhibit A”.

(b) The visiting parent shall notify the other parent at least 24 hours in advance of any scheduled visitation if he/she does not intend to exercise that visitation opportunity.

Initialed by: Husband _____

Wife _____

(c) The visiting parent shall arrive to pick up the children for visitation within _____ minutes of the scheduled time, or shall lose that visitation opportunity.

(d) Unless otherwise agreed by the parties in writing, the drop-off and pick-up for visitation shall be at _____.

4.

OTHER PARENTAL RIGHTS

The parties acknowledge that the children have two parents who love them and want to be involved in their upbringing. The parties agree that the welfare of the children is most important and each agrees to encourage a feeling of affection and respect between the children and the other parent. Neither party shall involve the children in actions or communications which would endanger the children's opinion of the other party.

(a) Addresses and Telephone Numbers The parties agree to provide each other with their current home address and telephone number, as well as a telephone number to call in case of emergency; they also agree to notify each other of any change in the address or telephone numbers, at least 30 days prior to the change.

(b) Current Information. Both parties shall keep each other informed of their residential and e-mail addresses and all telephone and mobile communication device numbers. Both parties shall provide the other with at least 30 days advance notice of any anticipated change of residence. Both parties shall give the other reasonable notice of any travel plans involving the children.

(b) Telephone Communication Neither party shall do anything to interfere with the children communicating with the other party. Each party shall have the right to call and talk to the children when they are in the care of the other party, up to one time each day, at the expense of the calling parent. Calls shall be made between the hours of _____ a.m. and _____ p.m.

Initialed by: Husband _____

Wife _____

- (c) School Information The parties agree that it is in the best interest of the children that both parents should participate in the children’s educational activities to the fullest extent possible. Therefore, both parties shall have equal access to the school records of the children, and both shall have the right to be provided information concerning the children’s progress in school.

- (d) Respect for Child’s Activities. If the Child(ren) participates in extra-curricular, sports, church or other similar types of activities, the parent having custody will respect the right of the Child(ren) to attend games, recitals, and special events related to those activities and will ensure that the Child(ren) will participate in such activities when residing with him/her.

- (e) Access to Records. Both parties shall have the right to obtain any and all information concerning the children from medical providers, teachers, school administrators, counselors, mental health professionals, dentists and other professionals providing services to the Child(ren) without the necessity of obtaining consent of the other party.

- (f) Health Information — Each party shall be entitled to complete, detailed information from any physician, dentist or other health care provider attending any of the children. Each party shall notify the other of the children’s major illnesses and medical treatments.

- (g) Healthy and Wholesome Environment. Each parties shall maintain the Child(ren) in a healthy and wholesome environment at all times when the Child(ren) is in his or her custody, and neither party shall have overnight company with a member of the opposite sex unrelated by blood or marriage, and considered to be a paramour, in the presence of the Child(ren). Nor shall any party be under the influence of alcohol or illegal drugs or other illegal substances while the Child(ren) is in his or her custody.

Initialed by: Husband _____

Wife _____

(h) Respect for Other Parent. Neither party shall make any disparaging remarks about the other in the presence of the children. Neither party shall engage in any display of expressive conduct in the presence of the children which reasonably could be interpreted as communicating disapproval of the other party. Both parties shall, at all times while the Child(ren) are present, behave and speak toward each other in a manner which is respectful of the other party's role and rights as a parent and which will protect the Child(ren) from any feelings of animosity or disapproval the parties may have for each other.

5.

CHILD SUPPORT

(Note: This section must be completely filled out.

The Court cannot approve the divorce unless the child support arrangement is within the guidelines in OCGA §19-6-15, or a proper reason is explained in this section for a support amount outside the guidelines.)

The _____ shall pay the _____, for the support of the minor children, the sum of _____ Dollars (\$_____) per month, beginning on _____, 20____. The child support shall continue monthly thereafter 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 and 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.

Application of Child Support Guidelines. The *Child Support Worksheet* and appropriate schedules have been attached and are hereby made a part of this order.

6.

HEALTH INSURANCE FOR CHILDREN

You must check and complete either (a) or (b); but do not check both (a) and (b). (c) is optional, and may be combined with either (a) or (b)

(a) The (Petitioner or Respondent) _____ shall maintain a policy of medical, dental and hospitalization insurance for the benefit of the minor children, until each child

Initialed by:

Husband _____

Wife _____

reaches the age of eighteen, dies, marries, or otherwise becomes emancipated; except that if a child becomes eighteen years old while enrolled in and attending secondary school on a full-time basis, then the insurance shall continue 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 to the other party (if that other party paid the applicable health care service provider) or to the applicable health care provider within five (5) days of the party receiving the money, if the provider has not been paid by one of the parties.

(b) Insurance is not available 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 under this *Settlement Agreement*, then that parent must obtain the insurance unless it is then being provided by the other parent. When insurance has been obtained by either party, Paragraphs 6 (a)(1) and (2) shall apply.

(c) The parent who maintains the insurance shall provide verification of the amount paid for the children's share of the cost of medical, dental and hospitalization insurance. The other parent shall reimburse the parent who maintains the insurance for ____% of the cost within fifteen (15) days after receiving the verification.

7.

OTHER HEALTH CARE EXPENSES FOR THE CHILDREN

(Check and complete either (a), (b) or (c); or both (a) and (b) together.

Do not check (c) if you check either (a) or (b).)

(a) The (Petitioner or Respondent) _____ shall be responsible for all expenses incurred for the children's health care (including medical, dental, mental health and hospital care) that are not covered by insurance. The other parent shall provide

Initialed by: Husband _____

Wife _____

verification to the (Petitioner or Respondent) _____ of amounts paid or incurred for the children's health care. The (Petitioner or Respondent) shall reimburse the other parent or pay the health care provider directly within fifteen (15) days after receiving the verification of a particular health care expense.

(b) The (Petitioner or Respondent) _____ all pay _____% and the (Petitioner or Respondent) _____ shall pay _____% of all expenses incurred for the children's health care (including medical, dental, mental health and hospital 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. The 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.

(c) The parties are not asking the Court to address the issue of the children's uncovered health care expenses in this action.

8.

LIFE INSURANCE FOR THE BENEFIT OF THE CHILDREN

(Check and complete either (a), (b) or (c). Do not check more than one.)

(a) The children depend on the (Petitioner or Respondent) _____ for financial support, and therefore the (Petitioner or Respondent) _____ agrees to maintain a policy of insurance on his/her life, with a face amount of at least \$_____, for the benefit of the minor children. The policy shall be maintained for so long as at least one of the children is a minor or is otherwise entitled to support under Paragraph Five of this Agreement.

(b) The children depend on both of the parties for financial support, and therefore each party agrees to maintain a policy of insurance on his/her life, with a face amount of at least \$ _____, for the benefit of the minor children. The policy shall be maintained for so

Initialed by: Husband _____

Wife _____

long as at least one of the children is a minor or is otherwise entitled to support under Paragraph Five of this Agreement.

(c) The parties are not asking the Court to address the issue of life insurance for the benefit of the children in this action.

9.

ALIMONY.

(Check and complete only one of these, either (a) or (b). Do not check both (a) and (b).)

(a) The (Petitioner or Respondent) _____ shall pay to the (Petitioner or Respondent) _____ as alimony, the sum of _____ Dollars (\$_____) per month, beginning on _____, and continuing monthly thereafter,

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

(1) until the recipient remarries or dies.

(2) for a period of _____.

(b) Each party expressly waives the right to receive alimony from the other party.

10.

PROPERTY DIVISION.

(Check and complete only one of these, either (a) or (b). Do not check both (a) and (b).)

(a) 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 any of the property in the possession of the other party as of the date of signing this agreement.

(b) The parties acknowledge that they did not obtain any property during their marriage.

(c) The parties acknowledge that they possess various items of marital property, which shall be divided as provided in this Agreement. The parties agree to transfer possession and title to their property as follows:

Initialed by: Husband _____

Wife _____

[If you have chosen (c), check and complete only the parts that apply, from (1) through (4) below. Cross out the parts that do not apply.]

(1) **Marital Home** - The marital home of the parties, located at the following address:
_____, which has the
following legal description on the deed to the property:

Shall be conveyed to the (Petitioner or Respondent) _____ in fee simple.
The (Petitioner or Respondent) _____ shall be responsible for all
taxes, assessments and mortgage loan payments on the home after the date of
_____.

(If you have chosen and completed the preceding paragraph (1), concerning a marital home, you may also check and complete (A) or (B), or both (A) and (B), but neither one is required.)

(A) The (Petitioner or Respondent) _____ shall have
a lien against the home in the amount of
_____ Dollars
(\$ _____). Upon the sale or transfer of the home, the lien shall be paid.

(B) The (Petitioner or Respondent) _____ shall immediately
begin making reasonable efforts to refinance the outstanding mortgage/mortgages
on the marital home, so that the (Petitioner or Respondent) _____
shall no longer be liable on the mortgage loan(s). If the (Petitioner or Respondent)
_____ is not able to refinance by _____,
20____, the home shall then be listed for sale at a reasonable price, and all
reasonable offers to purchase the home shall be accepted.

(2) **Mobile Home** - The parties' mobile home, which is described as a
_____, with Vehicle Identification
Number (VIN) of shall be transferred to the (Petitioner or Respondent) _____.
The (Petitioner or Respondent) _____ shall be responsible for all
loan payments on the mobile home after the date of _____.

(3) **Vehicles** - The vehicles owned by the parties shall be transferred or retained as
follows:

<u>Year/Make/Model of Vehicle</u>	<u>Vehicle ID # (VIN)</u>	<u>Goes to</u>
_____	_____	_____

Initialed by: Husband _____

Wife _____

The party listed above for each vehicle shall be responsible for all car loan payments, *ad valorem* taxes, registration fees and insurance on that vehicle accruing after the following date: _____.

(4) **Other Personal Property** - The parties acknowledge that they own various other items of personal property, which shall be transferred to the party listed below, on or before _____, 20____.

Wife _____

Husband _____

To the Wife

To the Husband

Except as otherwise specifically provided in this Agreement, the transfers listed above shall be completed no later than _____, and each party shall execute all documents necessary to promptly complete the transfer. Upon the failure of either party to execute and deliver any deed or other document necessary to complete the transfers required by this Agreement, this Agreement shall constitute and operate as the properly executed document. The county auditor, county recorder, Department of Motor Vehicles, and all other public and private officials are authorized and directed to accept this Agreement or a properly certified copy of it in lieu of the document regularly required for the conveyance or transfer.

Except as provided in this Agreement, the parties have divided 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 any of the property in the possession of the other party as of the date of signing this agreement, except as provided in this Agreement.

11.

DEBTS.

(Check and complete only one of these, either (a) or (b). Do not check both (a) and (b).)

Initialed by: Husband _____

Wife _____

- (a) The parties acknowledge that they have no outstanding joint or marital debts.
- (b) The responsibility for payment of the parties' joint and marital debts shall be as follows:

<i>Creditor</i>	<i>Amount</i>	<i>Responsible Party</i>
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____

The responsible party listed above for each debt shall hold the other party harmless for any collections on that debt. If legal action is brought against the other party to recover that debt, the responsible party agrees to indemnify or hold the other party harmless and, in addition, to pay all attorney's fees and costs of collection which the other party may incur as a result of the legal action.

12.

TAX AND BANKRUPTCY CONSTRUCTION OF THIS AGREEMENT

The parties acknowledge that the equitable division of marital property and the payment of marital and joint debts, if provided in this Agreement, shall not be deductible nor taxable for income tax purposes. Each party also acknowledges that, but for the payments provided here, the other party's financial independence would be impaired. Therefore, it is the parties' intention that if either party ever seeks bankruptcy protection, the amounts payable under this Agreement shall not be dischargeable in bankruptcy under 11 United States Code Section 523(a)(5), as the payments are in the nature of spousal or child support and maintenance. Alternatively, the payments shall be nondischargeable in bankruptcy under 11 United States Code Section 523(a)(15).

13.

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.

Initialed by: Husband _____

Wife _____

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.

15.

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. Even if it becomes part of a divorce judgment, this Agreement shall survive and can be enforced independently from the judgment of divorce.

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: _____

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

Petitioner:

Vs.

Respondent:

Civil Action File No.:

PARENTING PLAN

This is an agreement between _____ and _____, the parents of the minor children whose names and birth years are as follows:

Child's Name	Year of Birth

By signing below, the parties recognize that:

- (a) a close and continuing parent-child relationship and continuity in the child(ren)'s life will be in the child(ren)'s best interest;
- (b) the child(ren)'s needs will change and grow as the child matures;
- (c) each parent shall make decisions regarding the day-to-day care of a child while that child is residing with that parent, including any emergency decisions affecting the health or safety of a child; decisions that affect the other parent's parenting time shall be communicated promptly; and
- (d) both parents will have access to all of the child(ren)'s records and information, including but not limited to, education, health, extra-curricular activities, and religious communications. Set forth below is the agreement of the parties on each of the issues listed:

- **Legal Custody**

Primary Physical Custody

- **Major Decisions**

The parties will consult each other and attempt to arrive at consensus on major decisions.

Should they be unable to reach consensus final decisions will be made as follows:

- | | | |
|-----------------------------------|---------------------------------|---------------------------------|
| Non-emergency health care | <input type="checkbox"/> Mother | <input type="checkbox"/> Father |
| Education | <input type="checkbox"/> Mother | <input type="checkbox"/> Father |
| Religious upbringing | <input type="checkbox"/> Mother | <input type="checkbox"/> Father |
| Extracurricular activities | <input type="checkbox"/> Mother | <input type="checkbox"/> Father |
| _____ | <input type="checkbox"/> Mother | <input type="checkbox"/> Father |
| _____ | <input type="checkbox"/> Mother | <input type="checkbox"/> Father |
| _____ | <input type="checkbox"/> Mother | <input type="checkbox"/> Father |

- **Parenting Schedule**

If the parties cannot otherwise agree, during the term of this parenting plan, the non-custodial parent or in joint custodial arrangements the mother / father, shall have at a

minimum the following parenting time:

- First and third weekend of each month
- First, third, and fifth weekend of each month
- Second and fourth weekend of each month
- Every other weekend, starting on _____, 20_____.
- Each _____ starting at _____ a.m./ p.m. and ending at _____ a.m./ p.m.
- Other: _____

- Weekday times include:
 - None
 - Every _____ evening.
 - Every other _____ evening during the week prior to a non-visitation weekend.
 - Every _____ and _____ evening.
 - Other: _____

For the 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 time 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 _____, 20_____ or on the date of the Court's Order.

• **Fall Vacation**

The day to day schedule shall apply except as follows: _____

_____ beginning on _____, 20_____.

- **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 year/ even number years/ every year. The other parent will have the child(ren) for the second period from the day and time indicated above until _____
_____ at a.m./ p.m. The parties shall alternate the first and second periods each year. Or, the parties have chosen a different winter vacation plan as set out here:

- **Spring Vacation**

The day to day schedule shall apply except as follows:

_____ beginning on _____, 20_____.

- **Summer Vacation**

The day to day schedule shall apply except as follows:

_____ beginning on _____, 20_____.

Note: Parents will confer with each other by (*check only one*) April 15th of each year OR _____ (date) of each year to confirm school breaks/vacations and by _____ to determine summer parenting schedule. Petitioner shall have the first choice of weeks in odd numbered years and Respondent shall have the first choice in even numbered years.

- **Special Days and Holidays**

Indicate whether the child(ren) will be with the parent in ODD or EVEN number years or EVERY year:

Holiday	Mother	Father	Start/Stop Time
Martin Luther King Day			
President's Day			
Mother's Day			
Father's Day			
July Fourth			
Labor Day			
Halloween			
Thanksgiving Day and Friday			
Child(ren)'s Birthday			
Free School Days			
Mother's Birthday			
Father's Birthday			
Religious Holidays			
Other			

- **Schedule Conflicts**

When holiday parenting times conflict with extended/summer parenting time:

- holiday schedule will be observed
- extended visitation will be uninterrupted
- other: ++_____

If there is conflict between the regular schedule and the holiday schedule, the holiday

schedule will prevail.

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

- 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: _____

• **Transportation Arrangements**

Exchanging the child(ren) between the parents shall take place as follows:

Payment of long distance transportation costs, if applicable, will be paid by: mother/ father / both equally

Long distance for purposes of transportation are defined as: _____

Other transportation arrangements (Ex: disabled parent, parent without a valid driver's license, other approved drivers, etc.): _____

Should the parent picking up the child(ren) exceed a _____ minute grace period without prior notification or alerting the other parent by phone of an unavoidable breakdown

or delay en route, the parenting time for that period is forfeited.

Should either party repeatedly cause a delay by not having the child(ren) prepared for exchange or being late for pick-up or return, a modification of parenting time may be sought. Repeatedly causing delay is defined as: _____

- **Relocation**

If either parent decides to relocate more than _____ miles away from the other parent's home, the moving parent will give the other parent written notice of the intent to relocate no less than 30 days/ 60 days/ 90 days/. 180 days prior to the date of moving.

- **Communication Access**

The parents agree that when the child(ren) resides with one parent, the other parent will have the right to unimpeded telephone conversations with the child(ren) as follows: *[Check all that apply.]*

Unrestricted telephone access during reasonable hours and of reasonable duration.

_____ telephone calls to the child(ren) per day/week with the duration of each call not to exceed _____ minutes within the following time consideration:

The child(ren) is allowed to call either parent at any time.

Other agreed provisions for telephone/e-mail access: _____

- **Other Parenting Time Provisions and Agreements**

Each parent shall promptly notify the other parent of a change of address, phone number, or cell phone number so that the other parent may exercise their parenting time,

notify the other parent as needed, and reach the child(ren) while they are in the other parent's household.

- When making childcare arrangements while the child is with them, parents agree to the following (Ex: age before child(ren) will be left alone, appropriate caregivers, right of first refusal to provide care, etc.): _____

- Excluding any agreed limitation on access rights below, both parents will have access to the child(ren)'s records and information, including but not limited to education, health, extracurricular activities and religious communications. Agreed limitations:

- Mother/ Father will notify school authorities where child(ren) is enrolled each year to list both parents to receive all notifications and reports.

- Each parent shall promptly notify the other parent of any information received through the child(ren) concerning parent meetings, reports, school activities in which the child(ren) may be engaged or interested.

- Parents will consult with each other prior to scheduling any activity that will impact time the other parent spends with the child(ren).

- Additional agreements:

• **Supervised Parenting Time**

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

Place:

Person/Organization supervising:

Responsibility for cost: Mother Father both equally

Any transition to alter supervised parenting would require _____

• **Modification of Plan**

Over time, as the child(ren)'s and families' circumstances/needs change, parties may, by mutual agreement, vary the parenting schedule. Such altered agreements shall not be a binding court order and custody shall only be modified by court order.

Prior to involving the court in resolving disagreements, parties will attempt further mediation, consultation with a child specialist/family counselor or

_____.

I have read, understand, and agree to each of the provisions of this *Parenting Plan Agreement*, this _____ day of _____, 20_____.

(Sign your name before Notary)
PETITIONER, *Pro se*

Name (print or type)

Address: _____

Daytime Telephone Number: _____

Sworn to and affirmed before me, this _____
day of _____.

NOTARY PUBLIC

My commission expires: _____

(Notary Seal)

I have read, understand, and agree to each of the provisions of this *Parenting Plan Agreement*, this _____ day of _____, 20_____.

(Sign your name before Notary)
RESPONDENT, *Pro se*

Sworn to and affirmed before me, this _____ day of _____.

Name (print or type)

NOTARY PUBLIC

Address: _____

My commission expires: _____

(Notary Seal)

Daytime Telephone Number: _____

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
SUPERIOR COURT OF _____ COUNTY
GRIFFIN JUDICIAL CIRCUIT

**“Exhibit A”
(Attachment to Settlement Agreement)**

Visitation Schedule

If the parties cannot agree on specific visitation, the _____ shall have the right to visitation according to the schedule below. Holiday and summer vacation provisions shall prevail over weekend visitation when they conflict.

(a) **Weekends** : The first and third weekends of every month, from Friday at 6:00 p.m. until Sunday at 6:00 p.m. The first and third weekends shall be defined as the weekends containing the first and third Fridays of the month.

(b) **Father’s Day or Mother’s Day:**

(Check only one of these, either (1) or (2). Do not check both (1) and (2).)

(1) On Father’s Day, from 9:00 a.m. to 6:00 p.m. If Mother’s Day occurs on a weekend when the Father would otherwise have visitation, the children shall be returned to the Mother at 12:00 noon on Mother’s Day, rather than at 6:00 p.m.

(2) On Mother’s Day, from 9:00 a.m. to 6:00 p.m. If Father’s Day occurs on a weekend when the Mother would otherwise have visitation, the children shall be returned to the Father at 12:00 noon on Father’s Day, rather than at 6:00 p.m.

(c) **Holidays:** In even-numbered years (such as 2004, 2006, etc.), the children shall spend these holidays with _____ and in odd-numbered years (such as 2003, 2005, etc.), they shall spend them with the other parent.

(1) Easter weekend, from 6:00 p.m. Friday to 6:00 p.m. Sunday;

(2) Memorial Day and Labor Day weekends, from 6:00 p.m. Friday to 6:00 p.m. Monday; and

(3) During Christmas vacation, from 6:00 p.m. on the day school lets out for vacation, until 12:00 noon on December 25th. However, if none of the children is enrolled in school, this Christmas visitation shall be from 6:00 p.m. on December 20th until 12:00 noon on December 25th. In odd-numbered years, the children shall spend the following holidays with the _____, and in even-numbered years, they shall spend them with the other parent.

(4) Spring vacation, from 6:00 p.m. on the day school lets out for vacation, until 6:00 p.m. on the day before the children return to school. However, if none of the children is enrolled in school, this Spring vacation shall be for up to one week (seven consecutive days) during the months of March or April;

Initialed by: Husband _____

Wife _____

provided that the shall give written notice of the chosen week to the other parent at least 30 days prior to the beginning of this visitation.

(5) Independence Day, from 10:00 a.m. to 10:00 p.m.;

(6) Thanksgiving weekend, from 6:00 p.m. Wednesday until 6:00 p.m. Sunday; and

(7) During Christmas vacation, from 12:00 noon on December 25th to 6:00 p.m. on the day before the children return to school. However, if none of the children is enrolled in school, this Christmas visitation shall be from 12:00 noon on December 25th until 6:00 p.m. on January 1st.

(d) **Summer Vacation:** weeks during the children's summer vacation from school. However, if none of the children is enrolled in school, this summer visitation shall be taken during the months of June, July and August, until such time as one of the children begins to attend school. The weeks may be taken consecutively or non-consecutively, but shall be taken in increments of at least seven (7) consecutive days. They shall give written notice of the chosen weeks to the other parent on or before March 1st (so that both parties will have ample time to make camp and child care arrangements for the summer).

(e) **Priorities in Visitation Schedule :** To resolve any conflicts in the visitation provided under this schedule, the holiday visitation provided under paragraphs (b) and (c) shall have priority over the weekend and summer visitation in paragraphs (a) and (d).

FORM H: Child Support Worksheet

Under Georgia Law you or your spouse will be required to file financial information on an approved “Child Support Worksheet” before the court can consider any calculation of child support. The required worksheet can be found on-line in an electronic format at the Child Support Commission website:

www.georgiacourts.org/csc

File as a separate document with the court clerk

FORM I

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 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.)	

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 _____ (address)
 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 L

PRESENT TO THE JUDGE AT THE FINAL HEARING

FORM L

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

_____,)
)
 Petitioner,)
)
 vs.) Civil Action No. _____
)
_____,)
)
 Respondent.)

FINAL JUDGEMENT AND DECREE OF DIVORCE

Upon consideration of this case upon evidence submitted as provided by law, it is the judgment of the Court that a total divorce be granted, that is to say a *divorce a vinculo matrimonii* between the parties to the above-styled 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 effectively as if no such contract had ever been made or entered into.

Petitioner and Respondent in the future shall be held as separate and distinct persons 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 with this Court on _____ is incorporated by reference and made a part of this Final Judgment and Decree of Divorce. Each party is **ORDERED** and directed to comply with the terms and conditions therein.

I. CUSTODY

(You must check and complete either (a) or (b). Do not check both (a) and (b). If you want a custody arrangement that is not shown here, you should consult an attorney for appropriate language in place of this section.)

- (a) The _____ shall have sole legal and physical custody of the children. The _____ shall have visitation with the minor children according to the Parenting Plan entered by this Court in this case.

- (b) The Petitioner and Respondent shall have joint legal custody of the minor children. The _____ shall have primary physical custody and the _____ shall have secondary physical custody. The periods of visitation for the parent having secondary

physical custody are set forth in the Parenting Plan entered by this Court.

As joint legal custodians, the parties shall consult each other and try to reach a joint decision on all major decisions concerning the children's education, health care, extracurricular activities and religious upbringing. However, if the parties are not able to reach a joint decision concerning one of these major issues, then the parent with primary physical custody shall make the final decision on all issues. The parent with primary physical custody.

In the event of any change of residence on the part of either party herein so long as the custody provisions concerning the minor children are in effect, said party changing his or her residence shall notify the other party in writing at least thirty (30) days in advance of the intent to change residence and of the location of the new residence and shall furnish to him or her the complete new address and, as soon as determined, the new telephone at the new residence.

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'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. The residence of the parent with primary physical custody shall be the legal residence of the minor children for purposes of school enrollment.

II. CHILD SUPPORT

(Circle the appropriate person where indicated, fill in the child(ren)'s names and birth years where indicated, and fill in the numbers from the Child Support Worksheet where indicated.)

The statutory requirements of O.C.G.A. §19-6-15 et seq. have been applied in reaching the amount of child support to be paid in this case. For purposes of determining child support, the Court finds:

1. Child support is being determined for _____ child(ren), to wit: *(list each child by their legal name and their birth year)* _____

2. *(Circle the parent with primary physical custody)*. For purposes of child support, the Petitioner / Respondent is deemed the Custodial Parent; and the Petitioner/ Respondent is the Non-Custodial parent.

3. The Gross Income of the Petitioner is \$ _____ per month.

4. The Gross Income of the Respondent is \$ _____ per month.

5. The total Basic Child Support Obligation ("BCSO") in this case, as provided in the statutory

suggested guidelines, is _____ Dollars (\$ _____), and, based on the current incomes, the pro rata shares of such BCSO are _____% for the Father and _____% for the Mother. The presumptive amount of child support as indicated by the Child Support Worksheet to be paid by the Husband after adjustments taking into account the deviations contained therein, is _____ and no cents (\$ _____), per month.

A. Child Support Payments.

Taking into consideration all the applicable data from the Child Support Worksheet, Petitioner / Respondent shall pay to Petitioner / Respondent as Child Support for the support and maintenance of the Child, the sum of _____ Dollars (\$ _____) per month, beginning with the 1st day of the calendar month immediately following the execution of this order, and continuing thereafter to be paid on the 1st of each month.

These payments will continue until the child dies, marries, reaches the age of eighteen years, enters the armed services or becomes self-supporting, whichever event first occurs. However, if the Child reaches the age of eighteen prior to graduation from high school, Petitioner will continue to pay child support for such Child as long as he is continuously enrolled in high school and not married or otherwise emancipated, until his high school graduation, but in no event beyond the child's reaching the age of twenty (20) years.

Petitioner / Respondent's child support obligation shall be subject to change, upon proper petition for a modification, in the event of a material change of circumstances with respect to the wealth or incomes of the parties, as provided by law.

Pursuant to O.C.G.A. § 19-6-32, the Court finds that an immediate *Income Deduction Order for Award of Child Support* is not warranted. However, pursuant to O.C.G.A. §§ 19-6-31, 32 & 33, the recipient of child support has the express right, without notice to either party, at the time this *Final Judgment and Decree of Divorce* is entered or at anytime thereafter, to submit a separate *Income Deduction Order for Award of Child Support* to the Court for immediate entry.

Pursuant to O.C.G.A. §§ 19-6-31, 32 & 33, whenever in violation of the terms of this *Final Judgment and Decree of Divorce*, there shall have been a failure to make the support payments due hereunder so that the amount unpaid is equal or greater than the amount payable for one month, the payments required to be made may be collected by the process of continuing garnishment for support and/or *Income Deduction Order for Award of Child Support*.

B. Medical and Dental Coverage for Child.

(You must check and complete either (a) or (b.) Do not check both (a) and (b).)

- (a) Insurance is not available to either party at a reasonable cost. If health insurance for the child(ren) later becomes available to the parent who is required to pay child support, then that

parent must obtain the insurance unless it is then being provided by the other parent.

- (b) The Petitioner / Respondent shall maintain and pay the premiums for medical, dental and hospitalization insurance coverage for the benefit of the minor child(ren), 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 and attending secondary school on a full-time basis, then the insurance shall continue for the child until the child has graduated from secondary school or reach twenty years of age, whichever occurs first.

As additional child support, Petitioner shall pay _____ % and Respondent shall pay _____ % of all uninsured charges and co-pays for any medical, dental, drug, clinic, hospital, and outpatient charges incurred for the benefit of the child(ren). All bills for charges incurred or paid for either party for uncovered expenses for the Child shall be forwarded to the other party within thirty (30) days. The reimbursing party shall reimburse such expense to the paying party his/her share no later than thirty (30) days of receipt of the bill or proof of payment.

III. PROPERTY DIVISION

The parties have entered into a Settlement Agreement dividing all of their marital property and their marital debts. That Settlement Agreement has been incorporated by reference and made a part of this Final Judgment and Decree of Divorce. Each party is **ORDERED** and directed to comply with the terms and conditions therein concerning the division of property and debts.

VI. ALIMONY

Neither party shall be pay alimony to the other party.

V. RESTORATION OF MAIDEN NAME

Petitioner / Respondent shall be restored to her former name, to wit: _____

_____.

So ORDERED this _____ day of _____, 20_____

 JUDGE
 SUPERIOR COURT OF _____ COUNTY
 GRIFFIN JUDICIAL CIRCUIT

FORM M

DOMESTIC RELATIONS CASE FINAL DISPOSITION INFORMATION FORM

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

FORM N

ACKNOWLEDGEMENT OF SERVICE

FORM O

SHERIFF'S ENTRY OF SERVICE

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

FORM M
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) _____

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

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

Last First Middle I. Suffix
Bar # _____

Last First Middle I. Suffix
Bar # _____

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

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

Petitioner: _____)
vs. _____) Civil Action File No. _____
Respondent: _____)

ACKNOWLEDGEMENT OF SERVICE AND WAIVER OF JURISDICTION

The undersigned Respondent hereby acknowledges service of the Petition for _____, and states that she/he has received a copy of said Petition and summons and Respondent hereby waives any and all further notice, service, and issuance of process.
[Check the box below if you are **not a resident of Georgia**]

WAIVER OF JURISDICTION – RESPONDENT’S AFFIDAVITT

I, _____, am the named Respondent in the above-styled case, which is a petition for _____. After being duly sworn, I state the following:

1. I am a resident of _____ County in the State of _____ and that Petitioner is a resident of _____ County, Georgia. My address is

2. I have been informed that I have a constitutional right to a trial by judge or jury in the state of my residence, and that I expressly **waive my right** to jurisdiction in the state of my residence, and consent to jurisdiction in the State of Georgia, _____ County Superior Court.

This _____ day of _____, _____
(date) (month) (year)

[Sign your name here in front of Notary]

[Address]

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

[Telephone]

Notary Public

My Commission Expires:
[Notary Seal]

FORM 0

COURT OF _____ COUNTY

STATE OF GEORGIA

SHERIFF'S ENTRY OF SERVICE _____
Superior Court State Court

Civil Action Number _____
Date Filed _____

Attorney's Address: _____
Plaintiff
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 Q

PREPARE AND FILE AS A SEPARATE DOCUMENT WITH THE COURT CLERK

FORM Q

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

On _____, 20____.

Petitioner, *pro se* (Sign here before notary)

Notary Public

{SEAL}

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.)	

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 R

PREPARE AND FILE AS A SEPARATE DOCUMENT WITH THE COURT CLERK

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

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

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, GEORGIA

FORM K

PREPARE AND FILE AS A SEPARATE DOCUMENT WITH THE COURT CLERK

FORM K

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)