

**UNCONTESTED CHANGE OF CUSTODY**  
**Free to download; \$ 39.00 for paper copy**

A change of custody is allowed when the parent(s) can prove that there are substantial changes affecting the welfare and best interests of the child(ren). Parents can enter into an agreement regarding custody, subject to the court's approval. The parental agreement will be effective unless the judge decides that the proposed change is not in the best interests of the childr(en). The parents' agreement can be made a final order of modification by the trial court at any time after the agreement has been submitted to the court.

When a parent sues the other parent to change custody, the court has the power to award sole custody, joint custody, joint legal custody, and joint physical custody. Additionally, the court may award custody to a third person when both parents are proved to be unfit. The Judge has the power to order a psychological evaluation of the family, an independent medical evaluation, or an investigation by the local family and children services agency.

A complaint for change of custody brought by the non-custodial parent must be brought in the county in which the legal custodian of the child or children. A complaint for change of custody brought by the legal custodian must be brought in the county in which the Defendant resides.

A judge may consider the desire of a child who is at least eleven years of age, but not yet fourteen. However, the child's desire by itself is not a material change of conditions or circumstances. The wishes of a child aged fourteen or older is controlling unless the parent whom the child chooses is unfit. During a custody hearing, the trial court may order the parents to leave the courtroom when a child testifies.

For more information about change of custody proceedings, please consult the following resources:

Dan E. McConaughy, *Georgia Divorce, Alimony and Child Custody* 518-530 (2004).

Edward E. Bates, Jr., *Georgia Domestic Relations Forms* 3.1-3.13 (2004).

Ga. Jurisprudence., Family Law § 9:1-9:40.

O.C.G.A. 19-9-1 et. seq.

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

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

**COMPLAINT FOR CHANGE OF CUSTODY**

Now comes the Plaintiff, \_\_\_\_\_, and states  his/  
 her claim against the Defendant, \_\_\_\_\_, for a change  
of custody as follows:

1.

**Jurisdiction and Venue (choose a or b)**

- a) The Defendant is subject to the jurisdiction of this Court and has signed an Acknowledgement of Service and Summons.
- b) The Defendant is not subject to the jurisdiction of this Court, but has signed an Affidavit of Waiver of Venue and Personal Jurisdiction.

2.

**Current Custody Arrangement (choose a or b)**

- a) The Defendant presently has legal custody of the minor child(ren), \_\_\_\_\_, age(s) \_\_\_\_\_, by virtue of a final order and decree of divorce in Civil Action No. \_\_\_\_\_, entered on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, in the Superior Court of \_\_\_\_\_ County, Georgia.
- b) The Defendant presently has legal custody of the minor child(ren), \_\_\_\_\_, age(s) \_\_\_\_\_ by virtue of an order of legitimation in Civil Action No. \_\_\_\_\_, entered on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

3.

**Change in Circumstances**

There has been a change in circumstances materially affecting the welfare of the minor child(ren) as follows:

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4.

**Proposed New Custody Arrangement**

As a result of such change of circumstances, the Plaintiff and Defendant have agreed that custody should be as follows:

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5.

**Plaintiff's Ability to be Custodial Parent**

The Plaintiff is a fit and capable parent and is otherwise qualified to assume full custody of the minor child(ren).

6.

**Visitation**

a) Plaintiff requests that the Defendant be awarded visitation with the minor child(ren) as stated in the attached Parenting Plan.

b) Plaintiff requests that the Defendant be awarded visitation using one-page schedule in this packet in addition to the attached Parenting Plan.

7.

**Child Support Amount**

Please go to <http://www.georgiacourts.org/csc/> and complete the **Child Support Worksheet**.

The Plaintiff asks that Defendant be required to pay to the Plaintiff, as support of the minor child(ren), the sum of \$ \_\_\_\_\_\* per week6.

/ bi-weekly/  month, starting on \_\_\_\_\_, and continuing per week/ bi-weekly/  month thereafter until each respective child reaches the age of eighteen (18), or so long as the child is enrolled in and attending secondary school (not to exceed age twenty (20)), marries, dies, or becomes otherwise emancipated. The Plaintiff asks that the child support obligation be reduced as follows as each child becomes emancipated:

\_\_\_\_\_  
\_\_\_\_\_

\*This amount was derived from line 13 of the Child Support Worksheet, which is attached hereto as Exhibit 1.

8.

**Child Support Method of Payment (Check a or b)**

a) The Plaintiff asks that all payments of child support shall be paid directly to the Plaintiff at the following address:

\_\_\_\_\_.

b) The plaintiff asks that all child support payments shall be paid by the non-custodial parent’s employer pursuant to an income deduction order.

c) The Plaintiff asks that all child support payments shall be paid to Georgia Child Support Enforcement pursuant to an Income Deduction Order.

9.

**Health Insurance**

The Plaintiff asks that \_\_\_\_\_ shall be required to maintain a policy of medical, dental, and hospitalization insurance for the benefit of the minor child(ren) for so long as the child support obligation set forth herein exists. The Plaintiff asks that costs not covered under the insurance policy shall be divided between the parties as follows: \_\_\_\_\_

The Plaintiff further asks that \_\_\_\_\_ shall provide  him/  her with an insurance identification card or such other acceptable proof of insurance coverage and shall cooperate with the Plaintiff in submitting claims under the policy.

10.

**Custody Agreement**

The Parties have reached a custody agreement, which they want to incorporate into the Final Order.

THEREFORE, Plaintiff prays:

(a) That custody of the minor child(ren) be changed as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_;

(b) That the Plaintiff have such additional relief as the Court may consider equitable and appropriate.

/S/ \_\_\_\_\_

Plaintiff *pro se*

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

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

**IN THE SUPERIOR COURT OF DOUGHERTY COUNTY  
STATE OF GEORGIA**

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

**VERIFICATION**

Personally appeared before me the undersigned who on oath states that the facts set forth in this Complaint are true and correct to the best of his/her knowledge and belief.

\_\_\_\_\_  
Plaintiff *pro se*

Sworn to and subscribed before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 200\_.

\_\_\_\_\_  
Notary Public, State of Georgia

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



4.

For the past five years, the children lived at the following addresses with the following persons:

Address	Dates	Lived With

5.

The child(ren) presently live/lives with \_\_\_\_\_.

6.

**Other Cases Concerning the Child(ren) (Choose a or b)**

a) Plaintiff asserts that  he/  she has not participated as a party or a witness or in any other capacity in any other litigation concerning the children named above, and knows of no other proceeding concerning the minor children in this or any other state.

No person other than the parties to this action has physical custody of the minor children or any claim to custody or visitation with the minor children.

b) The minor children have been involved in the following custody actions: *(The court wants to know about the following types of actions: custody, visitation, family violence, protective orders, termination of parental rights, and adoption.)*

<u>County/State/Court</u>	<u>Type of Custody Action</u>	<u>Date Filed</u>	<u>Status</u>
_____	_____	_____	_____
_____	_____	_____	_____

<u>County/State/Court</u>	<u>Type of Custody Action</u>	<u>Date Filed</u>	<u>Status</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

7.

**Others with a Custody/Visitation Claim (Choose a or b)**

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

b) The following persons who are not a party to this proceeding have custody or visitation rights with the minor children:

<u>Name</u>	<u>Claim</u>
_____	_____
_____	_____
_____	_____

\_\_\_\_\_  
Affiant/Plaintiff

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

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



4.

I hereby affirm that I have given this Affidavit under oath and that the statements contained herein are true and accurate.

5.

I have made this election voluntarily and not because of any pressure or duress or because of any problems made known to me by either of my parents or any other person.

\_\_\_\_\_  
Affiant

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

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

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





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

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

**CUSTODY AGREEMENT**

This is an agreement by and between \_\_\_\_\_, (hereinafter referred to as “Father”) and \_\_\_\_\_, (hereinafter referred to as “Mother”).

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

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

1.

**Non-interference with parental relationships**

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

2.

**Legal and physical custody (Check a, b, or c)**

- a) The  Father/ Mother shall have the temporary and permanent legal and physical custody of the minor child (ren) born as issue of the marriage.
- b) The Father and Mother shall share joint legal custody of the minor child (ren). The parties shall share decision-making concerning the children; however, the

Father/  Mother shall have the right to make the final decision in the event the parties cannot agree.

Primary physical custody of the minor child (ren) shall be with the  Father/  Mother as follows:

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

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c) The Father and Mother shall share joint legal custody and joint physical custody of the minor child (ren).

Physical custody shall be shared by the parties as follows:

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The parties shall share decision making concerning the child (ren); however, in the event the parties cannot decide, the  Father/  Mother shall have the final decision concerning

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3.

**Visitation Schedule (Choose a or b)**

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

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

4.

**Cooperation and consultation**

□ This Agreement cannot provide for every possible detail with respect to the custody of the Child(ren). In that regard, the parties agree to cooperate and consult with each other so as to carry out visitation in a manner conducive to the best interests of the Child(ren). Neither party shall attempt to influence any of the Child(ren) not to love and respect the other parent. Each party agrees to keep the other informed as to the health and whereabouts of the Child(ren) while having custody of or visitation with the child(ren).

5.

**Change of residence**

□ In the event of any change of residence on the part of either party herein so long as the custody and visitation provisions of this Agreement are in effect, said party changing his or her residence shall notify the other party at least one month 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 number at the new residence. Said notification shall be in writing with a copy of said writing retained by the other

**CHILD SUPPORT**

**Please go to <http://www.georgiacourts.org/csc/> and complete the Child Support Worksheet.**

6.

**Child support amount**

□ The Father/Mother shall pay to the Father/Mother, as support of the minor child(ren), the sum of \$ \_\_\_\_\_\* per □week/ □bi-weekly/ □ month, starting on \_\_\_\_\_, and continuing per □week/ □bi-weekly/ □ month thereafter until each respective child reaches the age of eighteen (18), or so long as the child is enrolled in and attending secondary school (not to exceed age twenty (20)), marries, dies, or becomes otherwise emancipated. The child support obligation shall be reduced as follows as each child becomes emancipated:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*This amount was derived from line 13 of the Child Support Worksheet, which is attached hereto as Exhibit 1.

7.

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

- a) All payments of child support shall be paid directly to the Father/Mother at the following address:

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No Income Deduction Order will be entered into at this time. However, when ever, in violation of the terms of this Agreement, there shall have been a failure to make the support payments due hereunder so that the amount unpaid is equal to or greater than the amount payable for one (1) month, the payments required to be made may be collected by the process of continuing garnishment for support. In the event  Father/  Mother fails to pay any child support obligation in this Agreement on a timely fashion on any three (3) occasions in any twelve (12) month period, the parties agree that an income deduction order shall then be entered.

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

8.

**Health insurance**

- The  Father/  Mother shall maintain a policy of medical, dental, and hospitalization insurance for the benefit of the minor child(ren) for so long as the child support obligation set forth herein exists. Costs not covered under the insurance policy shall be divided between Father and Mother as follows:

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The  Father/  Mother shall provide the  Father/  Mother with an insurance identification card or such other acceptable proof of insurance coverage and shall cooperate with the  Father/  Mother in submitting claims under the policy.

**BINDING AGREEMENT**

9.

**Voluntary 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.

10.

**Entire agreement**

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

\_\_\_\_\_  
Plaintiff *pro se*

Sworn to and subscribed before me  
this \_\_\_\_ day of \_\_\_\_\_, 200\_\_.

\_\_\_\_\_  
Notary Public, State of Georgia  
My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Defendant *pro se*

Sworn to and subscribed before me  
this \_\_\_\_ day of \_\_\_\_\_, 200\_\_.

\_\_\_\_\_  
Notary Public, State of Georgia  
My Commission Expires: \_\_\_\_\_

Exhibit “\_\_”

VISITATION SCHEDULE

The non-custodial parent is \_\_\_\_\_.

The custodial parent is \_\_\_\_\_.

The non-custodial parent shall be entitled to exercise reasonable visitation with the minor child with the following minimum provisions:

- A. On every 1<sup>st</sup>, 3<sup>rd</sup>, and 5<sup>th</sup> Friday at 6:00 p.m. until the following Sunday at 6:00 p.m.;
- B. During even numbered years (2002, 2004, etc.), the non-custodial parent shall have the right of visitation on the holidays delineated below:
  - 1. Martin Luther King’s Birthday
  - 2. Memorial Day
  - 3. Labor Day
  - 4. Thanksgiving
  - 5. Second week of Christmas Vacation from 2:00 p.m. on December 25 until New Year’s Eve.
- C. During odd numbered years (2003, 2005, etc.), the non-custodial parent shall have the right of visitation on the holidays delineated below:
  - 1. New Year’s Day
  - 2. Easter or Spring Break
  - 3. July 4<sup>th</sup>
  - 4. Halloween
  - 5. First Week of Christmas vacation, including Christmas Day until 2:00 p.m. on December 25.
- D. During even numbered years (2002, 2004, etc.), the custodial parent shall have the minor child on the holidays delineated below:
  - 1. New Year’s Day
  - 2. Easter or Spring Break
  - 3. July 4<sup>th</sup>
  - 4. Halloween
  - 5. First week of Christmas vacation, including Christmas Day until 2:00 p.m. on December 25.
- E. During odd numbered years (2003, 2005, etc.), the custodial parent shall have the right of visitation on the holidays delineated below:
  - 1. Martin Luther King’s Birthday
  - 2. Memorial Day
  - 3. Labor Day
  - 4. Thanksgiving
  - 5. Second week of Christmas vacation from 2:00 p.m. on December 25 until New Year’s Eve.
- F. The Mother shall have the minor child on Mother’s Day.
- G. The Father shall have the minor child on Father’s Day.
- H. The non-custodial parent shall have the right to visit with the minor child for two consecutive weeks in the summer between June 15 and August 15. During this period, the custodial parent shall have the minor child on the first (1<sup>st</sup>) weekend from 6:00 p.m. Friday until 6:00 p.m. Sunday. The non-custodial parent shall give the custodial parent a minimum of thirty (30) days written notice of the intent to exercise this visitation.
- I. Holiday visitation shall take precedence over week-end visitation.

In the Superior Court of \_\_\_\_\_ County, Georgia

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

**DOMESTIC RELATIONS FINANCIAL AFFIDAVIT OF FATHER**

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

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

Date of Marriage: \_\_\_\_\_ Date of Separation \_\_\_\_\_

Names and birth dates of children for whom support is to be determined in this action:

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

Names and birth dates of affiant's other children:

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

2. SUMMARY OF AFFIANT'S INCOME AND NEEDS

(a) Gross monthly income (from item 3A) \$ \_\_\_\_\_

(b) Net monthly income (from item 3C) \$ \_\_\_\_\_

(c) Average monthly expenses (item 5A) \$ \_\_\_\_\_

Monthly payments to creditors + \_\_\_\_\_

Total monthly expenses and payments

to creditors (item 5C) \$ \_\_\_\_\_

(subsections (d) & (e) deleted)

3. A. AFFIANT'S GROSS MONTHLY INCOME (complete this section or attach Child Support Schedule A)

(All income must be entered based on monthly average regardless of date of receipt.)

Salary or Wage \$ \_\_\_\_\_  
ATTACH COPIES OF 2 MOST RECENT WAGE STATEMENTS

Commissions, Fees, Tips \$ \_\_\_\_\_

Income from self-employment, partnership, close corporations, and independent contracts (gross receipts minus ordinary and necessary expenses required to produce income)  
ATTACH SHEET ITEMIZING YOUR CALCULATIONS \$ \_\_\_\_\_

Rental Income (gross receipts minus ordinary and necessary expenses required to produce income)  
ATTACH SHEET ITEMIZING YOUR CALCULATIONS \$ \_\_\_\_\_

Bonuses \$ \_\_\_\_\_

Overtime Payments \$ \_\_\_\_\_

Severance Pay \$ \_\_\_\_\_

Recurring Income from Pensions or Retirement Plans \$ \_\_\_\_\_

Interest and Dividends \$ \_\_\_\_\_

Trust Income \$ \_\_\_\_\_

Income from Annuities \$ \_\_\_\_\_

Capital Gains \$ \_\_\_\_\_

Social Security Disability or Retirement Benefits \$ \_\_\_\_\_

Workers' Compensation Benefits \$ \_\_\_\_\_

Unemployment Benefits \$ \_\_\_\_\_

Judgments from Personal Injury or Other Civil Cases \$ \_\_\_\_\_

Gifts (cash or other gifts that can be converted to cash) \$ \_\_\_\_\_

Prizes/Lottery Winnings \$ \_\_\_\_\_

Alimony and maintenance from persons not in this case \$ \_\_\_\_\_

Assets which are used for support of family \$ \_\_\_\_\_

Fringe Benefits (if significantly reduce living expenses) \$ \_\_\_\_\_

Any other income (do NOT include means-tested Public assistance, such as TANF or food stamps) \$ \_\_\_\_\_

**GROSS MONTHLY INCOME** \$ \_\_\_\_\_  
(prior section B deleted)

B. Affiant's Net Monthly Income from employment  
(deducting only state and federal taxes and FICA) \$ \_\_\_\_\_

Affiant's pay period (i.e., weekly, monthly, etc.) \_\_\_\_\_

Number of exemptions claimed \_\_\_\_\_

4. ASSETS

(If you claim or agree that all or part of an asset is non-marital, indicate the non-marital portion under the appropriate spouse's column and state the amount and the basis: pre-marital, gift, inheritance, source of funds, etc.).

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

Real Estate:

home: \$ \_\_\_\_\_

debt owed: \$ \_\_\_\_\_

other: \$ \_\_\_\_\_

debt owed: \$ \_\_\_\_\_

Automobiles/Vehicles:

Vehicle 1: \$ \_\_\_\_\_

debt owed: \$ \_\_\_\_\_

Vehicle 2: \$ \_\_\_\_\_

debt owed: \$ \_\_\_\_\_

Life Insurance

(net cash value): \$ \_\_\_\_\_

Furniture/furnishings: \$ \_\_\_\_\_

Jewelry: \$ \_\_\_\_\_

Collectibles: \$ \_\_\_\_\_

Other Assets: \$ \_\_\_\_\_

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

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

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

**Total Assets:** \$ \_\_\_\_\_

5. A. AVERAGE MONTHLY EXPENSES

**HOUSEHOLD**

Mortgage or rent payments \$ \_\_\_\_\_ Cable TV \$ \_\_\_\_\_

Property taxes \$ \_\_\_\_\_ Misc. household and grocery items \$ \_\_\_\_\_

Homeowner/Renter Insurance \$ \_\_\_\_\_ Meals outside the home \$ \_\_\_\_\_

Electricity \$ \_\_\_\_\_ Other \$ \_\_\_\_\_

Water \$ \_\_\_\_\_ **AUTOMOBILE**

Garbage and Sewer	\$ _____	Gasoline and oil	\$ _____
Telephone:		Repairs	\$ _____
<u>residential line:</u>	\$ _____	Auto tags and license	\$ _____
<u>cellular telephone:</u>	\$ _____	Insurance	\$ _____
Gas	\$ _____	<b><u>OTHER VEHICLES</u></b>	
		<b><u>(boats, trailers, RVs, etc.)</u></b>	
Repairs and maintenance:	\$ _____	<u>Gasoline and oil</u>	\$ _____
Lawn Care	\$ _____	<u>Repairs</u>	\$ _____
Pest Control	\$ _____	<u>Tags and license</u>	\$ _____
		<u>Insurance</u>	\$ _____

**CHILDREN'S EXPENSES**

**AFFIANT'S OTHER EXPENSES**

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



**C. TOTAL MONTHLY EXPENSES:**

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

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

\_\_\_\_\_  
Affiant

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

In the Superior Court of \_\_\_\_\_ County, Georgia

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

**DOMESTIC RELATIONS FINANCIAL AFFIDAVIT OF MOTHER**

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

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

Date of Marriage: \_\_\_\_\_ Date of Separation \_\_\_\_\_

Names and birth dates of children for whom support is to be determined in this action:

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

Names and birth dates of affiant's other children:

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

2. SUMMARY OF AFFIANT'S INCOME AND NEEDS

(a) Gross monthly income (from item 3A) \$ \_\_\_\_\_

(b) Net monthly income (from item 3C) \$ \_\_\_\_\_

(c) Average monthly expenses (item 5A) \$ \_\_\_\_\_

Monthly payments to creditors + \_\_\_\_\_

Total monthly expenses and payments

to creditors (item 5C) \$ \_\_\_\_\_

(subsections (d) & (e) deleted)

3. A. AFFIANT'S GROSS MONTHLY INCOME (complete this section or attach Child Support Schedule A)

(All income must be entered based on monthly average regardless of date of receipt.)

Salary or Wages \$ \_\_\_\_\_  
ATTACH COPIES OF 2 MOST RECENT WAGE STATEMENTS

Commissions, Fees, Tips \$ \_\_\_\_\_

Income from self-employment, partnership, close corporations, and independent contracts (gross receipts minus ordinary and necessary expenses required to produce income)  
ATTACH SHEET ITEMIZING YOUR CALCULATIONS \$ \_\_\_\_\_

Rental Income (gross receipts minus ordinary and necessary expenses required to produce income)  
ATTACH SHEET ITEMIZING YOUR CALCULATIONS \$ \_\_\_\_\_

Bonuses \$ \_\_\_\_\_

Overtime Payments \$ \_\_\_\_\_

Severance Pay \$ \_\_\_\_\_

Recurring Income from Pensions or Retirement Plans \$ \_\_\_\_\_

Interest and Dividends \$ \_\_\_\_\_

Trust Income \$ \_\_\_\_\_

Income from Annuities \$ \_\_\_\_\_

Capital Gains \$ \_\_\_\_\_

Social Security Disability or Retirement Benefits \$ \_\_\_\_\_

Workers' Compensation Benefits \$ \_\_\_\_\_

Unemployment Benefits \$ \_\_\_\_\_

Judgments from Personal Injury or Other Civil Cases \$ \_\_\_\_\_

Gifts (cash or other gifts that can be converted to cash) \$ \_\_\_\_\_

Prizes/Lottery Winnings \$ \_\_\_\_\_

Alimony and maintenance from persons not in this case \$ \_\_\_\_\_

Assets which are used for support of family \$ \_\_\_\_\_

Fringe Benefits (if significantly reduce living expenses) \$ \_\_\_\_\_

Any other income (do NOT include means-tested Public assistance, such as TANF or food stamps) \$ \_\_\_\_\_

**GROSS MONTHLY INCOME** \$ \_\_\_\_\_  
(prior section B deleted)

C. Affiant's Net Monthly Income from employment  
(deducting only state and federal taxes and FICA) \$ \_\_\_\_\_

Affiant's pay period (i.e., weekly, monthly, etc.) \_\_\_\_\_

Number of exemptions claimed \_\_\_\_\_

4. ASSETS

(If you claim or agree that all or part of an asset is non-marital, indicate the non-marital portion under the appropriate spouse's column and state the amount and the basis: pre-marital, gift, inheritance, source of funds, etc.).

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

Real Estate:

home: \$ \_\_\_\_\_

debt owed: \$ \_\_\_\_\_

other: \$ \_\_\_\_\_

debt owed: \$ \_\_\_\_\_

Automobiles/Vehicles:

Vehicle 1: \$ \_\_\_\_\_

debt owed: \$ \_\_\_\_\_

Vehicle 2: \$ \_\_\_\_\_

debt owed: \$ \_\_\_\_\_

Life Insurance

(net cash value): \$ \_\_\_\_\_

Furniture/furnishings: \$ \_\_\_\_\_

Jewelry: \$ \_\_\_\_\_

Collectibles: \$ \_\_\_\_\_

Other Assets: \$ \_\_\_\_\_

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

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

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

**Total Assets:** \$ \_\_\_\_\_

5. A. AVERAGE MONTHLY EXPENSES

**HOUSEHOLD**

Mortgage or rent payments \$ \_\_\_\_\_ Cable TV \$ \_\_\_\_\_

Property taxes \$ \_\_\_\_\_ Misc. household and grocery items \$ \_\_\_\_\_

Homeowner/Renter Insurance \$ \_\_\_\_\_ Meals outside the home \$ \_\_\_\_\_

Electricity \$ \_\_\_\_\_ Other \$ \_\_\_\_\_

Water \$ \_\_\_\_\_ **AUTOMOBILE**

Garbage and Sewer	\$ _____	Gasoline and oil	\$ _____
Telephone:		Repairs	\$ _____
<u>residential line:</u>	\$ _____	Auto tags and license	\$ _____
<u>cellular telephone:</u>	\$ _____	Insurance	\$ _____
Gas	\$ _____	<b><u>OTHER VEHICLES</u></b>	
		<b><u>(boats, trailers, RVs, etc.)</u></b>	
Repairs and maintenance:	\$ _____	<u>Gasoline and oil</u>	\$ _____
Lawn Care	\$ _____	<u>Repairs</u>	\$ _____
Pest Control	\$ _____	<u>Tags and license</u>	\$ _____
		<u>Insurance</u>	\$ _____

**CHILDREN'S EXPENSES**

**AFFIANT'S OTHER EXPENSES**

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



D. TOTAL MONTHLY EXPENSES:

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

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

\_\_\_\_\_  
Affiant

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

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

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

**FINAL JUDGMENT AND DECREE  
MODIFICATION OF CUSTODY**

The Custody Agreement entered into between the parties and filed with the court on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, is hereby incorporated into and made a part of this Final Judgment and Decree of Change of Custody. The original order for custody, Civil Action File No. \_\_\_\_\_, which was issued on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, is hereby modified as follows:

Based on the evidence presented, including the Child Support Worksheet, Schedules “A” through “E,” incorporated by reference, and specifically the Child Support Worksheet and Schedule “E” attached hereto, and where applicable, Special Interrogatories also attached hereto, the Court finds as follows:

1. Children for whom support is being determined:

Child	Date of Birth

2. (a) For purposes of Calculating Child Support, the Court Orders that the Custodial Parent shall be \_\_\_\_\_.
- (b) For purposes of Calculating Child Support the Court Orders that the Non-custodial Parent shall be \_\_\_\_\_.
- (c) The Court finds that the amount of the Non-custodial Parent's parenting time as set forth in the Order of Visitation is \_\_\_\_\_ days.
3. (a) The Court finds as set on Schedule "A," the gross income of the father is \$\_\_\_\_\_.
- (b) The Court finds as set on Schedule "A," the gross income of the Mother is \$\_\_\_\_\_.
4. (a) The Court finds as set on the "Child Support Worksheet" and Schedule "B," the Non-custodial Parent's Adjusted Income is \$\_\_\_\_\_.
- (b) The Court finds as set on the "Child Support Worksheet" and Schedule "B," the Custodial Parent's Adjusted Income is \$\_\_\_\_\_.
- (c) The Court finds as set on the "Child Support Worksheet" and Schedule "B," the Parties' Total Adjusted Income \$\_\_\_\_\_.
5. The Court finds as set by the "Child Support Obligation Schedule Table" and as listed on the "Child Support Worksheet" the Basic Child Support Obligation is \$\_\_\_\_\_.
6. (a) The Court finds as set on the "Child Support Worksheet," the Basic Child Support Obligation for the Custodial Parent is: \$\_\_\_\_\_ %
- (b) The Court finds as set on the "Child Support Worksheet," the Basic Child Support Obligation for the Non-custodial Parent is: \$\_\_\_\_\_ %
7. The Court finds that health insurance that provides for the health care needs of the child  is/  is not reasonably available at a reasonable cost. If provided, it will be provided by \_\_\_\_\_.
8. (a) The Court finds as set on the "Child Support Worksheet" and Schedule "D," the Presumptive Amount of Child Support for the Custodial Parent is \$\_\_\_\_\_.

(b) The Court finds as set on the “Child Support Worksheet” and Schedule “D,” the Presumptive Amount of Child Support due to the Non-custodial Parent is

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

(c) The Court finds as set on the “Child Support Worksheet” and Schedule “D,” the Presumptive Amount of Child Support due to the Custodial Parent is

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

9. The Court finds that the child receives benefits under Title II of the Federal Social Security Act on the obligor’s account and the amount the child receives on a monthly basis is

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

10. The Court has considered the existence of special circumstances and as set forth on the “Child Support Worksheet” and Schedule “E,” has found the following special circumstances marked with an [“X”] to be present in this case.

*Note: Refer to Schedule “E” and, where applicable, “Special Interrogatories” attached hereto for an explanation for the reasons for the deviation, how the application of the Presumptive Amount of Child Support would have been unjust and how the best interest of the child for whom support is being determined will be served by a deviation from the Presumptive Amount of Child Support.*

- \_\_\_\_\_ A. High Income
- \_\_\_\_\_ B. Low Income
- \_\_\_\_\_ C. Other Health-Related Insurance
- \_\_\_\_\_ D. Life Insurance
- \_\_\_\_\_ E. Child and Dependent Care Tax Credit
- \_\_\_\_\_ F. Travel Expenses
- \_\_\_\_\_ G. Alimony
- \_\_\_\_\_ H. Mortgage
- \_\_\_\_\_ I. Permanent Plan or Foster Care Plan
- \_\_\_\_\_ J. Extraordinary Expenses
- \_\_\_\_\_ K. Parenting Time
- \_\_\_\_\_ L. Non-Specific Deviations (Other)

11. (a) The Court finds as set on the “Child Support Worksheet” the Final Amount of Child Support for the Custodial Parent is

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

(b) The Court finds as set on the “Child Support Worksheet” the Final Amount of Child Support for the Non-custodial Parent is

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

(c) The Court finds as set on the "Child Support Worksheet" the Final Amount of Child Support the Non-custodial Parent shall Pay the Custodial Parent is \$ \_\_\_\_\_

12. (a) The Court finds as set on the "Child Support Worksheet" that the Custodial Parent's allocated Uninsured Health Care Expenses based on their pro rata responsibility is \$ \_\_\_\_\_  
\_\_\_\_\_ %

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

The Non-custodial parent, \_\_\_\_\_, shall pay Child Support for each of the \_\_\_\_ minor child(ren) at \$ \_\_\_\_\_ per month, for a total of \$ \_\_\_\_\_ per month to the Custodial parent, starting \_\_\_\_\_, and continuing until each minor child reaches the age of majority, dies, marries, becomes emancipated, whichever first occurs, provided however, the Court, in the exercise of its sound discretion, directs (or does not direct) the Non-custodial Parent to continue to pay child support for a Child who has not previously married or become emancipated, who is enrolled in and attending a secondary school, and who has attained the age of majority before completing his or her secondary school education, until that child graduates from high school, or until the child attains \_\_\_\_ years of age (not to exceed 20 years), whichever first occurs.

SO ORDERED, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_

Judge, Superior Court of \_\_\_\_\_ County, Georgia.