

UNCONTESTED DIVORCE WITH MINOR CHILDREN
Free to download; \$40 if purchased at the Law Library

You can use these forms if:

- You know where your spouse is; AND
- You plan to use the no fault reason for divorce, “irreconcilable differences;” AND
- You and your spouse are willing to sign a written agreement (contract) that decides the following issues:
 1. Whether you have any debts, and how to divide them;
 2. Whether you have any possessions that need to be divided, and how;
 3. Who will have custody;
 4. What is the visitation schedule;
 5. What is the proper child support amount;
 6. Whether you will have alimony, and if so, how much.

You CANNOT use these forms if:

- You do not know where your spouse is; OR
- You or your spouse is unwilling to sign a written agreement (contract) that decides ALL of the following issues:
 - Whether you have any debts, and how to divide them;
 - Whether you have any possessions that need to be divided, and how;
 - Who will have custody;
 - What is the visitation schedule;
 - What is the proper child support amount;
 - Whether you will have alimony, and how much; OR
- You plan to use one of the fault grounds (reasons) for the divorce (adultery, cruel treatment, drug addiction, etc.).

You should not represent yourself if: you are a victim of domestic violence, your spouse has an attorney, a house or pension is involved, or your spouse is hiding income.

**If you represent yourself, you are doing a lawyer’s job,
and YOU will have to do all of the research and hard work.**

NO COURTHOUSE EMPLOYEE CAN GIVE YOU LEGAL ADVICE.

Even if it is a friendly divorce, you should talk to a lawyer before you sign any settlement papers or file anything in court.

Steps to getting your divorce:

[Use BLACK ink to fill out all forms]

1. Complete the *Domestic Relations Filing Information* and *Final Disposition* Forms.
2. Complete the *Complaint for Divorce* and *Child Support Worksheet*
3. Complete the *Verification* form.
4. Complete the *Consent to Trial 31 Days After Service and Waiver of Right to Trial by Jury*.
5. Complete the *Acknowledgement of Service* OR *Defendant’s Acknowledgement of Service Affidavit of Waiver of Venue and Personal Jurisdiction*.
6. Complete the *Settlement Agreement & Visitation Schedule*.

7. Husband and Wife each fill out a *Domestic Relations Financial Affidavit*.
8. Fill out the *Final Order* up through item #10.
9. Fill out the *Parenting Plan*.
10. Attach the *Child Support Worksheet*, *Parenting Plan*, and proof of income and expenses for Husband and Wife.
11. Read over all your documents to find and correct any errors or omissions.
12. Make three (3) copies of all of the above documents.
13. Take all three (3) copies to the Clerk of Court. The Clerk will stamp all three copies. The Clerk will keep the original, and the Husband and Wife will each keep a copy.
14. The Judge's secretary will let you know when to meet the Judge in his or her office. Make sure you bring all requested documents to this meeting.
15. Your divorce is final once the Judge signs the final order and files it with the Clerk of Court.

Check off each of the fifteen steps as you complete them so that you do not forget anything.

For additional information, go to www.albany.ga.us; click on "Law Library," or visit the Law Library in person.

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

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

COMPLAINT FOR DIVORCE

Plaintiff, _____ [Name], comes
before this Court and shows this Court as follows:

1.

Residence requirement (Check only one: a, b or c)

- a) Plaintiff lives in _____ County, Georgia, and has lived in the State of Georgia for at least six months prior to filing this action.
- b) Plaintiff lives in _____ County, Georgia at the following military post:
_____ for at least one year before filing this petition.
- c) Plaintiff does not live in the State of Georgia, but Defendant has been a resident of the state of Georgia for at least six (6) months prior to my filing this action. Defendant lives in _____ County, Georgia.

2.

Venue and Service (Check only one: a, b or c)

- a) The Defendant lives in Georgia, in _____ County, and we are filing this action in the Defendant's home county. Defendant has signed the *acknowledgement of service* (page ____ of this packet).
- b) The Defendant lives outside the State of Georgia, in _____ County, _____ (state). The Plaintiff is filing this action in his / her home county, which is _____ County. The Defendant has signed an *Acknowledgement of Service/Affidavit of Waiver of Venue and Personal Jurisdiction* (on p. ____ of this packet) consenting to let this Court handle the divorce.

c) We are filing this action in _____ county, where the Plaintiff resides. We can do this because 1) The Defendant moved from this county within six (6) months of this filing and 2) This County is where we lived as husband and wife just before we separated.

3.

Date of marriage (Check only one: a or b)

- a) Plaintiff and Defendant were lawfully married on _____ [Date of marriage].
- b) Plaintiff and Defendant are common law married, having entered into a common law marriage before January 1 1997 on _____ [Date of marriage].

4.

The Defendant and I are separated. All companionship, cooperation, assistance, aid, and intimacy ended on or about the ___ day of _____ [month], _____ [year]. We are still separated.

5.

- There are _____ minor children born of the marriage.
- Name: _____ DOB: _____ Sex: _____
- Name: _____ DOB: _____ Sex: _____
- Name: _____ DOB: _____ Sex: _____
- Name: _____ DOB: _____ Sex: _____

AND / OR

The wife is now pregnant with _____ (1, 2, 3, etc.) infant(s), and her due date is the _____ day of _____, 20____.

OR

The wife is not pregnant.

6.

Child Custody

Plaintiff and Defendant agree that it is in the best interest of the minor children for custody to be as follows:

	Plaintiff	Defendant	Joint
Legal custody of the child(ren) to:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Plaintiff	Defendant	Joint
Physical custody of the child(ren) to: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Child visitation granted to: _____	<input type="checkbox"/>	<input type="checkbox"/>	

7.

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

Address	Dates	Lived With

8.

Other court actions concerning the children (Choose only one: a or b)

- a) Plaintiff 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.
- b) There have been the following actions regarding the minor children:

(Please tell the court 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>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

9.

Others with a custody claim (Choose only one: a or b)

- a) No person other than the Plaintiff or Defendant has physical custody of the child(ren) or claims to have custody or visitation rights with respect to the minor child(ren).
- b) The following persons other than the Plaintiff or Defendant has/have custody or visitation rights with the minor children:

Name

Claim

_____	_____
_____	_____
_____	_____

10.

Plaintiff is entitled to a divorce from the Defendant upon the grounds that the marriage is irretrievably broken and there is no hope of reconciliation, under O.C.G.A. § 19-5-3(13).

11.

The Plaintiff and the Defendant have entered into a written *Settlement Agreement* (page ___ of this packet) that resolves all issues as to an equitable division of property and debts, as well as custody, alimony and child support.

WHEREFORE, Plaintiff respectfully requests:

a) That the parties herein be totally divorced;

b) That the Court adopt and incorporate the parties' *settlement agreement* into a final judgment and decree in this matter;

c) That the Wife's name be changed back to her maiden name or name from a previous marriage. That name is: _____;

d) That the Court enter an Order for Child Support;

e) That the Court award such other and further relief as the it deems equitable and just.

Respectfully submitted this the _____ day of _____, 200__.

_____,
/S/ Plaintiff *pro se* **[Sign here]** [pro se = without an attorney]

Plaintiff's Address:

Plaintiff's Telephone(s):

Defendant's Address:

Defendant's Telephone(s):

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

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

VERIFICATION

The Plaintiff personally appeared before the undersigned notary public, and the Plaintiff 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* (without an attorney)
[Sign in front of a Notary Public]

Sworn to and subscribed before me
this _____ day of _____, 200__.

Notary Public, State of Georgia

My Commission Expires: _____

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

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

**CONSENT TO TRIAL 31 DAYS AFTER SERVICE AND
WAIVER OF RIGHT TO TRIAL BY JURY**

Both the Plaintiff and the Defendant, as indicated by their signatures below, waive their right to trial by jury and consent to the hearing and granting of a divorce in this action any time thirty-one (31) days after the filing of the acknowledgement of service or after service has been perfected.

/S/ Plaintiff *pro se* (without an attorney)
[Sign in front of a Notary Public]

Sworn to and subscribed before me
this _____ day of _____, 200____.

Notary Public, State of Georgia
My Commission Expires: _____

/S/ Defendant *pro se* (without an attorney)
[Sign in front of a Notary Public]

Sworn to and subscribed before me
this _____ day of _____, 200____.

Notary Public, State of Georgia
My Commission Expires: _____

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

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

ACKNOWLEDGMENT OF SERVICE AND SUMMONS

The undersigned Defendant hereby acknowledges service of the above Summons and Complaint for Divorce and states that he/she has received a copy of said Complaint, and Defendant hereby waives any further service of process.

This the _____ day of _____, 200____.

Defendant *pro se* (without an attorney)
[Sign in front of a Notary Public]

Sworn to and subscribed before me
this _____ day of _____, 200____.

Notary Public, State of Georgia
My Commission Expires: _____

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

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

**DEFENDANT'S ACKNOWLEDGEMENT OF SERVICE
AFFIDAVIT OF WAIVER OF VENUE AND PERSONAL JURISDICTION**

I, _____, the named Defendant in the above-styled case, after being duly sworn do hereby declare that I am a resident of _____ County, _____ (state), and that the Plaintiff in the above-styled case is a resident of _____ County, Georgia. I affirm that I have received a copy of said Petition/Complaint, and I hereby waive all further notice, service, and issuance of process.

After being duly informed that I have a constitutional right to a trial by judge or jury on the above matter in the county of my residence, and with that knowledge, I hereby expressly waive my right to venue in the county of my residence, and consent to venue and personal jurisdiction in the county of this superior court.

This _____ day of _____, 20____.

_____,
Defendant/Affiant
[Sign in front of a Notary Public]

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

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

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

SETTLEMENT AGREEMENT

This is an agreement by and between _____ [Name],
(hereinafter referred to as "Husband") and _____ [Name],
(hereinafter referred to as "Wife").

WHEREAS, the parties are married but are currently living in a bona fide state of separation;

WHEREAS, the child(ren) born as issue of the marriage is/are:

Name: _____ DOB: _____

Name: _____ DOB: _____

Name: _____ DOB: _____

Name: _____ DOB: _____

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

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

SEPARATION

1.

The parties shall continue to live separate and apart and each shall be free from interference, molestation, authority and control, direct or indirect, by the other, as fully as if sole and unmarried, and each may reside at such place or places as he or she may select.

CUSTODY AND VISITATION

2.

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

3.

Legal and physical custody

	Plaintiff	Defendant	Joint
<u>Legal custody of the child(ren) to:</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Physical custody of the child(ren) to:</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Child visitation granted to:</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If joint legal custody is chosen, the parties shall share decision making concerning the child(ren); however, in the event the parties cannot decide, the Husband/ Wife shall be the tiebreaker and make the final decision.

4.

Visitation (Choose only one: a or b)

a) The Husband/ Wife have made up their own visitation schedule:
Write your schedule below. Attach additional sheets of paper if necessary.

b) The parties want to use the *visitation schedule* (p. ____ of the packet) that is attached.

CHILD SUPPORT

You must go to <http://www.georgiacourts.org/csc/> and complete the *Child Support Worksheet*, which is an Excel spreadsheet. That is how you will get the numbers to fill in this section of the papers. Print the worksheet and include it in your divorce papers. Save your worksheet for later on a jump drive or other memory device.

Your papers will NOT be accepted for filing without the *child support worksheet*.

5.

Child support amount

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

*This amount was derived from line 13 of the Child Support Worksheet, which is attached.

6.

Child support method of payment (Check only one: a or b)

a) All payments of child support shall be paid directly to the Husband/Wife at the following address:

_____. No Income Deduction Order will be entered into at this time. However, whenever, 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 required payments may be collected by the process of continuing garnishment for support. In the event Husband/ Wife fails to pay any child support obligation in this Agreement on a timely fashion on any three (3) occasions in any twelve (12) month period, the parties agree that an income deduction order shall then be entered.

b) All payments of child support shall be paid by the employer of the non-custodial parent pursuant to an income deduction order.

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

7.

Health insurance

The Husband/ Wife shall maintain a policy of medical, dental, and hospitalization insurance for the benefit of the minor child(ren) for so long as the child support obligation set forth herein exists. Costs not covered under the insurance policy shall be divided between Husband and Wife as follows: (for example, 50% paid by Husband and 50% paid by wife.)

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

8.

Alimony (Check only one: a or b)

- a) The Husband/ Wife shall pay to the Husband/ Wife as alimony the sum of \$_____ per week/month, to be paid beginning on _____ and to continue thereafter until the Husband/ Wife remarries or dies.
- b) The Husband/ Wife shall pay to the Husband/ Wife as alimony the sum of \$_____ per week/month, to be paid beginning on _____ and to continue thereafter until the following date: the ____ day of _____ [month], _____ [year]
- b) The parties hereby expressly waive (give up) alimony for the past, present, and future.

9.

Division of property (Check only one: a, b or c)

- a) The parties acknowledge that they have no marital property to divide.
- b) The parties acknowledge that they have previously made a division of their household furniture, furnishings, household goods, equipment, and other such property. Neither party shall claim any of the property in the possession of the other as of the date of the signing of this agreement.
- c) The parties acknowledge that they possess various items of jointly owned property, which shall be divided as follows:

1) To the Wife:

2) To the Husband:

10.

Division of Debts (Check only one: a or b)

- a) The parties acknowledge that they have no outstanding joint debts.
- b) The parties agree to the division of debts as indicated below:

Creditor	Amount	Responsible Party

Creditor	Amount	Responsible Party

The responsible party will repay the non-responsible party for any collection on these obligations.

11.

Name restoration

- The parties request that Wife's name be changed to a former name, which is:

_____.

12.

Binding Agreement

- The parties acknowledge that they have entered into this Agreement freely and voluntarily and that it is not the result of any duress or any undue influence.

13.

No Agreements other than this one

- This Agreement constitutes the entire understanding of the parties. There are no verbal agreements outside of this written Agreement.

Continued on the next page

14.

Enforceability

□ It is expressly understood that this Agreement does not obligate the parties to continue to live in a state of separation or to proceed with an action for divorce. However, in the event that either party shall bring or maintain an action for dissolution of the marital relationship, this Agreement shall be presented to the court and incorporated by reference into any judgment or decree concerning the matters provided herein. Notwithstanding such incorporation, this Agreement shall survive and be enforceable independently of the judgment or decree.

IN WITNESS WHEREOF, the parties have signed their names, this _____ day of _____, 20____.

Sworn to and subscribed before me
this _____ day of _____, 200__.

Wife
[Sign in front of a Notary Public]

Notary Public, State of _____
My Commission Expires: _____

Sworn to and subscribed before me
this _____ day of _____, 200__.

Husband
[Sign in front of a Notary Public]

Notary Public, State of _____
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 1st, 3rd, and 5th 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 4th
 - 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 4th
 - 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 (1st) 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 HUSBAND

1. HUSBAND'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:

Table with 3 columns: Name, Date of Birth, Resides with. Includes three blank rows for entry.

Names and birth dates of affiant's other children:

Table with 3 columns: Name, Date of Birth, Resides with. Includes three blank rows for entry.

2. SUMMARY OF AFFIANT'S INCOME AND NEEDS (From the child support worksheet)

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

(b) Net monthly income (from item 3C) _____

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

Monthly payments to creditors + _____

Total monthly expenses and payments

to creditors (item 5C) _____

(subsections (d) & (e) deleted)

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

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

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

Commissions, Fees, Tips \$ _____

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

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

Bonuses \$ _____

Overtime Payments \$ _____

Severance Pay \$ _____

Recurring Income from Pensions or Retirement Plans \$ _____

Interest and Dividends \$ _____

Trust Income \$ _____

Income from Annuities \$ _____

Capital Gains \$ _____

Social Security Disability or Retirement Benefits \$ _____

Workers' Compensation Benefits \$ _____

Unemployment Benefits \$ _____

Judgments from Personal Injury or Other Civil Cases \$ _____

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

Prizes/Lottery Winnings \$ _____

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

Assets which are used for support of family \$ _____

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

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

GROSS MONTHLY INCOME \$ _____
(prior section B deleted)

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

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

Number of exemptions claimed _____

4. ASSETS

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

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

Tax Refund
owed you: \$ _____

Real Estate:

home: \$ _____

debt owed: \$ _____

other: \$ _____

debt owed: \$ _____

Automobiles/Vehicles:

Vehicle 1: \$ _____

debt owed: \$ _____

Vehicle 2: \$ _____

debt owed: \$ _____

Life Insurance

(net cash value): \$ _____

Furniture/furnishings: \$ _____

Jewelry: \$ _____

Collectibles: \$ _____

Other Assets: \$ _____

_____ \$ _____

_____ \$ _____

_____ \$ _____

Total Assets: \$ _____

5. A. AVERAGE MONTHLY EXPENSES

HOUSEHOLD

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

Property taxes \$ _____ Misc. household and grocery
Items \$ _____

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

Electricity \$ _____ Other \$ _____

Water	\$ _____	AUTOMOBILE	
		Gasoline and oil	\$ _____
Garbage and Sewer	\$ _____	Repairs	\$ _____
Telephone:		Auto tags and license	\$ _____
<u>residential line:</u>	\$ _____	Insurance	\$ _____
<u>cellular telephone:</u>	\$ _____		
Gas	\$ _____	<u>OTHER VEHICLES</u>	
		<u>(boats, trailers, RVs, etc.)</u>	
		<u>Gasoline and oil</u>	\$ _____
Repairs and maintenance:	\$ _____	<u>Repairs</u>	\$ _____
Lawn Care	\$ _____	<u>Tags and license</u>	\$ _____
Pest Control	\$ _____	<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</u> <u>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 (out of pocket/uncovered expenses) \$ _____ Alimony paid to former spouse \$ _____
 Grooming, hygiene \$ _____ Child support paid for other children \$ _____
 Gifts from children to others \$ _____ Date of initial order: _____
 Entertainment \$ _____ Other (attach sheet) \$ _____
Activities (including extra-curricular, school, religious, cultural, etc.) \$ _____
Summer Camps \$ _____
OTHER INSURANCE
 Health \$ _____
 Child(ren)'s portion: \$ _____
Dental \$ _____
 Child(ren)'s portion: \$ _____
Vision \$ _____
 Child(ren)'s portion: \$ _____
 Life \$ _____
 Relationship of Beneficiary: _____
 Disability \$ _____
 Other(specify): \$ _____

TOTAL ABOVE EXPENSES \$

B. PAYMENTS TO CREDITORS

(please check one)

To Whom:	Balance Due	Monthly Payment	Joint	Plaintiff	Defendant

TOTAL MONTHLY PAYMENTS TO CREDITORS: \$ _____

C. TOTAL MONTHLY EXPENSES:

\$ _____

This _____ day of _____, 20_____.

 Husband Affiant
[Sign in front of a Notary Public]

 Notary Public

In the Superior Court of _____ County, Georgia

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

DOMESTIC RELATIONS FINANCIAL AFFIDAVIT OF WIFE

1. WIFE'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:

Table with 3 columns: Name, Date of Birth, Resides with. Includes horizontal lines for data entry.

Names and birth dates of affiant's other children:

Table with 3 columns: Name, Date of Birth, Resides with. Includes horizontal lines for data entry.

2. SUMMARY OF AFFIANT'S INCOME AND NEEDS (from child support worksheet)

(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:	\$ _____	_____	_____	_____

Tax Refund
owed you: \$ _____

Real Estate:

home: \$ _____

debt owed: \$ _____

other: \$ _____

debt owed: \$ _____

Automobiles/Vehicles:

Vehicle 1: \$ _____

debt owed: \$ _____

Vehicle 2: \$ _____

debt owed: \$ _____

Life Insurance

(net cash value): \$ _____

Furniture/furnishings: \$ _____

Jewelry: \$ _____

Collectibles: \$ _____

Other Assets: \$ _____

_____ \$ _____

_____ \$ _____

_____ \$ _____

Total Assets: \$ _____

5. A. AVERAGE MONTHLY EXPENSES

HOUSEHOLD

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

Property taxes \$ _____ Misc. household and grocery
Items \$ _____

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

Electricity \$ _____ Other \$ _____

Water	\$ _____	AUTOMOBILE	
		Gasoline and oil	\$ _____
Garbage and Sewer	\$ _____	Repairs	\$ _____
Telephone:		Auto tags and license	\$ _____
<u>residential line:</u>	\$ _____	Insurance	\$ _____
<u>cellular telephone:</u>	\$ _____		
Gas	\$ _____	<u>OTHER VEHICLES</u>	
		<u>(boats, trailers, RVs, etc.)</u>	
		<u>Gasoline and oil</u>	\$ _____
Repairs and maintenance:	\$ _____	<u>Repairs</u>	\$ _____
Lawn Care	\$ _____	<u>Tags and license</u>	\$ _____
Pest Control	\$ _____	<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</u> <u>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 (out of pocket/uncovered expenses) \$ _____ Alimony paid to former spouse \$ _____
 Grooming, hygiene \$ _____ Child support paid for other children \$ _____
 Gifts from children to others \$ _____ Date of initial order: _____
 Entertainment \$ _____ Other (attach sheet) \$ _____
 Activities (including extra-curricular, school, religious, cultural, etc.) \$ _____
 Summer Camps \$ _____
OTHER INSURANCE
 Health \$ _____ Child(ren)'s portion: \$ _____
 Dental \$ _____ Child(ren)'s portion: \$ _____
 Vision \$ _____ Child(ren)'s portion: \$ _____
 Life \$ _____ Relationship of Beneficiary: _____
 Disability \$ _____
 Other(specify): \$ _____
TOTAL ABOVE EXPENSES \$

B. PAYMENTS TO CREDITORS

(please check one)

To Whom:	Balance Due	Monthly Payment	Joint	Plaintiff	Defendant

TOTAL MONTHLY PAYMENTS TO CREDITORS: \$ _____

D. TOTAL MONTHLY EXPENSES:
 \$ _____

This _____ day of _____, 20_____.

 Wife/ Affiant
[Sign in front of a Notary Public]

 Notary Public

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

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

MANDATORY SEMINAR NOTICE

Pursuant to the Order of the Superior Court of Dougherty County, Georgia, you are hereby notified that you are required to attend and successfully complete a program entitled “Seminar for Divorcing Parents” within thirty-one (31) days after the filing of this action and BEFORE you ask the Court to grant the divorce. A list of approved seminar providers, together with fee requirements and locations, can be found in the Clerk of the Superior Court’s office.

Seminar attendance by both parties is mandatory. Failure to complete this seminar in a successful manner will result in appropriate action against you by the Court, including denial of the grant of divorce until the class is completed, or the dismissal of your case.

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

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

FINAL JUDGMENT AND DECREE

Upon consideration of this case, upon evidence submitted as provided by law, it is the judgment of the Court that a total divorce be granted, that is to say, a divorce a vinculo matrimonii, between the parties to the above stated case upon legal principles.

It is considered, ordered, and decreed by the Court that the marriage contract heretofore entered into between the parties to this case, from and after this date, be and is set aside and dissolved as fully and effectually as if no such contract had ever been made or entered into.

Petitioner and Respondent in the future shall be held and considered as separate and distinct persons altogether unconnected by any nuptial union or civil contract whatsoever and both shall have the right to remarry.

The Court restores to _____ her prior or maiden name, which is: _____.

The settlement 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 Divorce.

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

1. Children for whom support is being determined:

Child	Date of Birth

2. (a) For purposes of Calculating Child Support, the Court Orders that the Custodial Parent shall be _____.

(b) For purposes of Calculating Child Support the Court Orders that the Noncustodial Parent shall be _____.

(c) The Court finds that the amount of the Noncustodial Parent's parenting time as set forth in the Order of Visitation is _____ days.

3. (a) The Court finds as set on Schedule "A," the gross income of the Husband is: \$_____

(b) The Court finds as set on Schedule "A," the gross income of the Wife is \$_____

4. (a) The Court finds as set on the "Child Support Worksheet" and Schedule "B," the Noncustodial Parent's Adjusted Income is \$_____

(b) The Court finds as set on the "Child Support Worksheet" and Schedule "B," the Custodial Parent's Adjusted Income is \$_____

(c) The Court finds as set on the "Child Support Worksheet" and Schedule "B," the Parties' Total Adjusted Income \$_____

5. The Court finds as set by the "Child Support Obligation Schedule Table" and as listed on the "Child Support Worksheet" the Basic Child Support Obligation is \$_____

6. (a) The Court finds as set on the "Child Support Worksheet," the Basic Child Support Obligation for the Custodial Parent is: \$_____ %

(b) The Court finds as set on the "Child Support Worksheet," the Basic Child Support Obligation for the Noncustodial Parent is: \$ _____ %

7. The Court finds that health insurance that provides for the health care needs of the child is/ is not reasonably available at a reasonable cost. If provided, it will be provided by _____.

8. (a) The Court finds as set on the "Child Support Worksheet" and Schedule "D," the Presumptive Amount of Child Support for the Custodial Parent is \$ _____

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

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

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

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

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

- | | |
|---|--|
| <input type="checkbox"/> A. High Income | <input type="checkbox"/> F. Travel Expenses |
| <input type="checkbox"/> B. Low Income | <input type="checkbox"/> G. Alimony |
| <input type="checkbox"/> C. Other Health-Related Insurance | <input type="checkbox"/> H. Mortgage |
| <input type="checkbox"/> D. Life Insurance | <input type="checkbox"/> I. Permanent Plan or Foster Care Plan |
| <input type="checkbox"/> E. Child and Dependent Care Tax Credit | <input type="checkbox"/> J. Extraordinary Expenses |
| | <input type="checkbox"/> K. Parenting Time |

_____ L. Non-Specific Deviations _____(Other): _____

11. (a) The Court finds as set on the "Child Support Worksheet" the Final Amount of Child Support for the Custodial Parent is \$ _____

(b) The Court finds as set on the "Child Support Worksheet" the Final Amount of Child Support for the Noncustodial Parent is \$ _____

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

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

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

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

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

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

Judge, Superior Court of _____ County, Georgia.

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

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

INCOME DEDUCTION ORDER

The above-styled matter was heard by the court on _____, 20___. The _____ was properly served and present and represented by counsel. This court having entered an order requiring the _____ to pay child support to the _____, this Income Deduction Order is entered pursuant to O.C.G.A. § 19-6-32(a.1)(1).

- Defendant shall pay child support of \$ _____ weekly bi-weekly semi-monthly monthly with the next payment due on _____, 20__.
- Defendant shall pay \$ _____ weekly bi-weekly semi-monthly monthly with the next payment due on _____, 20__.
- The total amount to be withheld is \$ _____ weekly bi-weekly semi-monthly monthly. This amount shall be made payable to _____ and forwarded within two (2) business days of each payment date. Payments shall be made by cash, cashier's check, or money order, personally or by mailing it to: _____.

The maximum amount to be deducted shall not exceed the amounts allowed under § 303(b) of the Consumer Credit Protection Act, 15 U. S. C. § 1673(b), as amended. This order applies to current and subsequent employers and periods of employment, and may only be contested on the grounds of mistake of fact regarding the amount of support owed pursuant to a support order, the arrearage, or the identity of the obligor. The obligor shall notify the _____ within seven (7) days of any change of address, employer or employer's address. A copy of this order shall be served on the obligor and the employer.

Other: _____

This order shall become effective immediately upon signing and shall remain in full force and effect until modified, suspended, or terminated by order of this Court.

SO ORDERED this _____ day of _____, 20__.

Judge, Superior Court

Judicial Circuit

Date

Notice To: Employer or any other person, private entity, Federal or State Government, or any unit of local government providing or administering income due to Defendant

Re: Income Deduction Order

DATE: _____

Attached you will find an Income Deduction Order. Please read this order carefully and follow the instructions as written. If you have any questions you should contact your attorney.

Employers are required by law to deduct from income due and payable an employee the amount designated by the court to meet support obligations. Income includes wages, salary, bonuses, commissions, compensation as an independent contractor, workers' compensation, disability benefits, annuities and retirement benefits, pensions, dividends, royalties, or any other payment to an employee. **FAILURE TO DEDUCT THE AMOUNT DESIGNATED BY THE COURT MAKES THE EMPLOYER LIABLE FOR THE AMOUNT THAT SHOULD HAVE BEEN DEDUCTED, PLUS COSTS, INTEREST AND REASONABLE ATTORNEYS' FEES.**

Payments must begin no later than the first pay period after fourteen (14) days following the postmark of the notice. You are required to forward to the person or entity specified in the Income Deduction Order within two (2) days after each payment date the amount deducted from the employee's income and a statement as to whether the amount forwarded totally or partially satisfies the periodic amount specified in the Income Deduction Order.

This deduction has priority over all other legal processes under Georgia law pertaining to the same income and the payment required by the Income Deduction Order. It is a complete defense against any claims of the employee or the employee's creditors as to the sum paid.

Employers must continue to deduct the child support amount and send it to the person or entity specified in the Income Deduction Order until further notice by the Court or until the income is no longer provided to the employee. In the event the income is no longer provided, the employer is required to notify the person or entity specified in the Income Deduction Order immediately of such and to give the employee's last known address and to provide a name and address of any new employer of this employee if known. **FAILURE TO DO THIS WILL RESULT IN A CIVIL PENALTY BEING IMPOSED, NOT TO EXCEED \$250.00 FOR THE FIRST VIOLATION OR \$500.00 FOR A SUBSEQUENT VIOLATION.**

Employers may not discharge an employee by reason of the entry of an Income Deduction Order. If an employee is discharged because of this reason, **A FINE OF NOT MORE THAN \$250.00 FOR THE FIRST VIOLATION AND \$500.00 FOR A SUBSEQUENT VIOLATION WILL BE IMPOSED AGAINST THE EMPLOYER.**

Employers should contact their attorney if more than one Income Deduction Order is received against the same employee.

Employers may send a single payment if multiple employees have Income Deduction Orders to pay to the same depository provided the amount attributed to each employee is identified.

An employer may collect up to \$25.00 against the employee's income to reimburse for the administrative costs of the first income deduction and up to \$3.00 for each subsequent income deduction.