

## CONTESTED DIVORCE WITH MINOR CHILDREN PACKET

This forms packet is designed to guide you in the preparation of your divorce papers. You must fill in the required information as it applies to your situation. Your papers should remain in the same order as they appear in this packet. If you do not have access to a typewriter, you may fill in the blanks by hand, in neat print, using BLACK ink.

You should fill in every blank line EXCEPT for the civil action file number blanks and the lines provided for signatures by the Notary Public and the Judge.

In the Complaint and the Settlement Agreement, there are some sections that have two possible answers, separated by an [OR]. In these sections, you must choose which of the two choices fits best in your situation, and then include only that choice in your documents. The other choice should be ignored and should not be included in your documents.

Make sure that everything is signed. All signatures that require notarization must be notarized before your documents will be approved for filing.

**Court personnel are not allowed to answer any questions concerning the preparation of these forms. State Law O.C.G.A. §15-19-51 forbids court personnel to give legal advice. Different situations may require special procedures and courthouse personnel cannot advise you on how to proceed or what forms may be necessary in specific situations. Divorce can be very complicated. The only person allowed to help you in the preparation of these forms is a licensed attorney. Please consult an attorney if you have questions about the procedure or what action is best for you to take.**

### **YOU MAY NEED AN ATTORNEY IF:**

- The case is contested, and your spouse has a lawyer.
- You cannot locate your spouse to serve him or her with your papers.
- You or your spouse has a house, pension, or large amount of property or income. You might lose custody of your children.
- You think you will have difficulty getting documents from your spouse about retirement funds, income, etc.
- Even if it is a friendly divorce, you should talk to a lawyer before you sign any settlement papers or file anything in court.

In the packets for marriages with children, there is a form called the Domestic Relations Financial Affidavit. Each party will have to have one of these forms filled out prior to the final hearing on the divorce.

If the Defendant has filed an acknowledgment of service, then each party must submit their Domestic Relations Financial Affidavit at the time the case is filed.

If the Defendant does not file an acknowledgement of service, and the Sheriff has to serve a copy of the complaint and summons on the Defendant, the Plaintiff must still file a copy of the Domestic Relations Financial Affidavit with his or her complaint. The Defendant should be served with a copy of the Domestic Relations Financial Affidavit along with the complaint and summons.

Remember, you must fully complete the forms before the Judge will be able to grant you a decree of divorce. Incomplete forms, as well as forms that are improperly filled out, may delay the grant of your divorce. Make sure that you take time to read over all the forms and understand what is being asked of you in each situation.

**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.

**Subject Matter Jurisdiction (Check only one: a or b)**

- a) Plaintiff is a resident of \_\_\_\_\_ County, Georgia, and has been a resident of Georgia for at least six months prior to the filing of this action.
- b) Plaintiff is not a resident of the State of Georgia, but Plaintiff's spouse has been a resident of the state of Georgia and the county of \_\_\_\_\_ for at least six (6) months prior to my filing this action.

2.

**Venue (Check only one: a, b, c, d, e or f)**

- a) Defendant is a resident of \_\_\_\_\_ County, Georgia, and has acknowledged service of the Complaint and Summons and has waived further service of process.
- b) Defendant is a resident of \_\_\_\_\_ County, \_\_\_\_\_ (state) and has signed an ACKNOWLEDGEMENT OF SERVICE AFFIDAVIT OF WAIVER OF VENUE AND PERSONAL JURISDICTION.

c) Defendant is a resident of \_\_\_\_\_ County, Georgia and may be served at his/her residence/work address of:

\_\_\_\_\_.

d) The Defendant is a resident of \_\_\_\_\_ County, Georgia but Defendant and I lived together in \_\_\_\_\_ County at the time we separated, Defendant has only moved from \_\_\_\_\_ County within the past six months from the date of this filing, and I am a resident of \_\_\_\_\_ County. Defendant shall be served by second original at his/her home/work address of

\_\_\_\_\_.

e) The Defendant is a resident of Georgia, but his/her whereabouts are unknown to me as shown by my Affidavit of Due Diligence attached hereto and incorporated by reference, marked Exhibit A. The Defendant 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 Defendant, which is

\_\_\_\_\_.

within 15 days of the filing of the Order for Service by Publication.

f) Defendant is not a resident of the State of Georgia, but I am a resident of \_\_\_\_\_ County Georgia and (Check 1, 2, 3 or 4)

1.  The Defendant was formerly a resident of the State of Georgia and presently is a resident of the State of \_\_\_\_\_. Defendant may be served by a second original pursuant to the Long Arm Statute, O.C.G.A. §

9-10-91(5). Defendant may be served at the following address:

\_\_\_\_\_

2.  The Defendant's whereabouts are unknown to me as shown by my Affidavit of Due Diligence, attached hereto and incorporated by reference, marked Exhibit A. The Respondent shall be served by publication as is provided by law in the case of those who cannot be found within the State pursuant to O.C.G.A. § 9-10-91(5). The clerk shall mail a copy of the Notice, Order for Service

3.

**Date of Marriage (Check only one: a or b)**

a) Plaintiff and Defendant were lawfully married on \_\_\_\_\_  
in \_\_\_\_\_ County, \_\_\_\_\_ (State).

b) Plaintiff and Defendant are common law married, having entered into a common law marriage before January 1, 1997 as of \_\_\_\_\_  
in \_\_\_\_\_ County, \_\_\_\_\_ (State).

*Note: Common law marriage was abolished in Georgia in 1997.*

4.

**Date of Separation**

The Defendant and I separated on \_\_\_\_\_ and have remained in a bona fide state of separation since that date.

5.

**Children born of the marriage**

There are \_\_\_\_\_ minor children born of the marriage.

Name: \_\_\_\_\_ DOB: \_\_\_\_\_

Name: \_\_\_\_\_ DOB: \_\_\_\_\_

Name: \_\_\_\_\_ DOB: \_\_\_\_\_

Name: \_\_\_\_\_ DOB: \_\_\_\_\_

6.

**Grounds for Divorce (Check one or more grounds that you can prove)**

Plaintiff is entitled to a divorce from the Defendant upon the statutory grounds that:

The marriage is **irretrievably broken** and there is no hope of reconciliation, under O.C.G.A. § 19-5-3(13). [*This is the no-fault divorce provision.*]

**Cruel Treatment.** My spouse committed the following acts of cruel treatment to me such that I am afraid he/she will hurt me in the future:

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**Adultery.** My spouse has had sexual intercourse outside the marriage.

**Desertion.** On or about \_\_\_\_\_ (date), my spouse, without just cause or reason, intentionally abandoned and deserted me for a period of at least one year as follows:

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**Intermarriage.** My spouse and I are related as follows:

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**Mental incapacity.** I did not have the mental capacity to enter into a marriage when we married because \_\_\_\_\_

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**Impotency.** My spouse was impotent at the time of our marriage, and I was not aware of this.

**Force, menace, duress, fraud in obtaining the marriage.** I entered this marriage against my will as a result of \_\_\_\_\_

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**Pregnancy of the wife at the time of the marriage unknown to the husband.** I did not know that my spouse was pregnant by another man when we got married.

**Conviction of party for an offense involving moral turpitude.** On or about \_\_\_\_\_, my spouse was sentenced to serve at least two years in the penitentiary for the following:

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**Habitual intoxication.** My spouse is repeatedly intoxicated.

**My spouse has been adjudged mentally ill by a court of competent jurisdiction.** My spouse has been confined in an institution for the mentally ill for a period of at least two years immediately preceding this action. My spouse's mental illness has been determined to be incurable by competent examiners, and I have attached a certified statement that it is this person's opinion that my spouse is hopelessly and incurably mentally ill.

**Habitual Drug Addiction.** My spouse is addicted to drugs as follows:

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7.

**Alimony (Check only one: a, b or c)**

- a) I am seeking temporary alimony which will last until the date of the final decree of divorce. I did not engage in adultery, desertion, cruel treatment, or other fault grounds for divorce.
- b) I am seeking temporary and permanent alimony which will last until I remarry or until my former spouse or I should die. I did not engage in adultery, desertion, cruel treatment, or other fault grounds for divorce.
- c) I voluntarily waive alimony.

8.

**Marital Property (Check only one: a, b or c)**

- a) Defendant and I have no marital property.
- b) Defendant and I have already divided our marital property to our mutual satisfaction.
- c) Defendant and I have the following marital property that I have checked, and I am seeking an equitable division of this property.
  - A house located at \_\_\_\_\_.  
A notice of Lis Pendens is attached hereto as Exhibit “\_\_\_\_\_.”
  - Pension(s): Mine \_\_\_\_\_ My spouse’s \_\_\_\_\_.
  - Motor vehicles (list make, model & year):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- Furniture (list or attach list):

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- Bank accounts and investments (list or attach list)

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- Other: \_\_\_\_\_.

9.

**Joint Debts (Check only one: a or b)**

- a) Defendant and I have no joint outstanding debts.
- b) Defendant and I have the following debts. I have indicated which party should be responsible for each debt. The responsible party will indemnify and hold harmless the non-responsible party for any collection on these obligations.

Creditor	Amount	Responsible Party



10.

**Name Restoration**

My former name is \_\_\_\_\_, and I request that it be restored to me.

11.

**Child(ren)'s Past Living Arrangements**

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

Address	Dates	Lived With

12.

**Other actions involving the children (Choose only one: a or b)**

*(Please tell the court about the following types of actions: custody, visitation, family violence, protective orders, termination of parental rights, and adoption.)*

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 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 actions:  
*(Please tell the court about the following types of actions: custody, visitation, family violence, protective orders, termination of parental rights, and adoption.)*

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

13.

**Other Parties with a Custody Claim (Choose only one: 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:

Name	Claim
_____	_____
_____	_____
_____	_____

14.

**Child Custody (Choose only one: a, b or c)**

- a) Plaintiff and Defendant are both fit to share both temporary and permanent joint legal custody of the minor child(ren). It is in the best interest of the minor child(ren) for \_\_\_\_\_ to have primary physical custody. The

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

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b) It is in the best interest of the minor child(ren) for \_\_\_\_\_ to have legal custody and \_\_\_\_\_ to have physical custody.

c) It is in the best interest of the minor child(ren) for \_\_\_\_\_ to have both legal and physical custody because:

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15.

**Visitation (Choose only one: a or b)**

a) Plaintiff requests that the Defendant be awarded visitation with the minor child(ren) as follows (or attach a schedule):

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- 
- 
- b) The proposed visitation schedule is attached as Exhibit “\_\_\_\_\_.”

16.

### **Child Support Amount**

**Please go to <https://csconlinecalc.georgiacourts.gov/frontend/web/index.php> and complete the Child Support Worksheet.**

- 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:

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

17.

### **Child Support Method of Payment (Choose only one: a or b)**

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

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b) Plaintiff asks that all payments of child support shall be paid directly to the Plaintiff by the Defendant’s employer via an income deduction order. The Plaintiff’s address is:

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

18.

### **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 as follows:

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The Plaintiff 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.

WHEREFORE, Plaintiff respectfully requests:

- a) That the parties herein be totally divorced;
- b) That the Court grant temporary and permanent custody as requested in this matter;
- c) That the Court order an equitable division of property;
- d) That the Court award temporary and permanent alimony;
- d) That the court award an equitable division of the parties' property;
- e) That the court award the Plaintiff temporary use and possession of the formal marital residence located at \_\_\_\_\_.
- f) That the court award the Plaintiff temporary use and possession of the vehicle described as follows: \_\_\_\_\_.
- g) That the Plaintiff have such other and further relief as the Court deems equitable and just.

Respectfully submitted this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_,  
Plaintiff *pro se* [Sign here]

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

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

## VISITATION

CP= Custodial Parent  
NC= Non-custodial Parent  
(Mother or Father should be inserted)

The NC shall have liberal periods of custody. If the parties cannot agree, then the following schedule shall control:

Visitation: The NC shall have visitation with the child every other weekend beginning Friday at 6:00 p.m. until Sunday at 6:00 p.m.

Summer: The NC shall have the child(ren) for two non-consecutive weeks during June or July, uninterrupted by the mother's visitation, provided that by May 1<sup>st</sup> of each year, the NC gives the CP written notice of when he/she intends to exercise the visitation.

Christmas: The CP shall have the minor child beginning the day after school recesses for Christmas holidays until December 26<sup>th</sup> at 9:00 a.m. during even numbered years. The NC shall have the same time for his/her visitation during odd number years. The CP shall have the minor child with him/her from December 26<sup>th</sup> beginning at 9:00 a.m. until January 2<sup>nd</sup> at 9:00 a.m. during odd numbered years. The NC shall have the same time during even numbered years.

Thanksgiving: In even-numbered years, the NC shall have the child(ren) from 6:00 p.m. on the day the child(ren) is/are released from school preceding Thanksgiving holiday until the Sunday following Thanksgiving Day at 6:00 p.m. The CP shall have the child during this time period during odd numbered years.

July 4<sup>th</sup>: The NC shall have the minor child during odd numbered years from July 4 at 9:00 a.m. until July 5 at 10:00 a.m. The CP shall have the minor child for this schedule during even numbered years.

Spring Break: The CP shall have the child during Spring Break from 6:00 p.m. on the day school recesses for Spring Break until 6:00 p.m. on the day before school resumes in odd numbered years. The NC shall have this time period in even numbered years.

Fall Break: The CP shall have the child during Fall Break from 6:00 p.m. on the day school recesses for Fall Break until 6:00 p.m. on the day before school resumes in even numbered years. The NC shall have this time period in odd numbered years.

Mother's Day: The mother shall have the child on the Friday preceding Mother's Day from 6:00 p.m. until Sunday at 6:00 p.m., regardless of the weekend visitation schedule.

Father's Day: The father shall have the child on the Friday preceding Father's Day from 6:00 p.m. until Sunday at 6:00 p.m., regardless of the weekend visitation schedule.

Federal Holidays: If the NC parent has the child for a weekend visitation where a federal holiday falls on a Monday, then the visitation shall include that Monday until 6:00 p.m.

General Considerations: The NC shall have the responsibility of transporting the child for each period of custody. The NC, or other responsible adult with a valid driver's license, shall pick the child up at the CP's residence at the beginning of the visitation and return the child to the CP's residence at the end of the visitation. During the summer visitation, the parent who is beginning his or her custodial

period shall be responsible for picking up the child from the other parent's residence.

Revised 01/31/21

## STANDARD ORDERS FOR PARENTING

1. Each parent shall always keep the other informed of his/her actual address of residence, mailing address if different, home and work telephone numbers and any changes within twenty-four hours of such change occurring.
2. Should either parent require child care for twenty-four hours or longer when the child is in his/her care, the other parent shall have first option to provide such care.
3. Neither parent shall say or do anything in the presence or hearing of the child that would in any way diminish the child's love or affection for the other parent, and shall not allow others to do so.
4. All former marital, child sharing, court related and financial communications between the parents shall occur at a time when the child is not present or within hearing range. Communication regarding these issues shall not occur at times of exchanges of the child or during telephone visits with the child.
5. Each parent shall inform the other as soon as possible of all school, sporting, and other special activity notices and cooperate in the child's consistent attendance at such events. Neither parent shall schedule activities during the other parent's scheduled parenting time without the other parent's prior agreement.
6. At least 24-hour notice of schedule change shall be given to the other parent. The parent requesting the change shall be responsible for any additional child care that results from the change.
7. The parties shall have the right to call the minor child on the telephone at any reasonable time, so long as the telephone calls to the child do not become excessive or disrupt the child's normal homework or sleep schedule. Likewise, the child shall have the right to call either parent at all reasonable times. In the event a long distance telephone call is required, the noncustodial parent shall provide a calling card for use by the child to place telephone calls to said parent. All parties will allow the child to have uninterrupted, private conversations with the parent and neither parent shall tape record the child's conversation with the other parent or other person. In the event that there is a dispute between the parties as to when a telephone call can be made, then calls from the parent shall be twice per week on Tuesday and Thursday evenings between the hours of 7:00 p.m. and 9:00 p.m.
8. Each party shall notify the other party as soon as reasonable of any serious illness or emergency affecting the child while in that party's physical custody.
9. Each party shall have the right to communicate with the child's teachers, coaches, tutors, and other educational providers; doctors, nurses, counselors, psychiatrists, and other health care providers; and to obtain copies of the child's school and medical records. Each party shall have the right to attend all school and extra-curriculum events, religious events of significance, graduation, recitals, award ceremonies, and other such events relating to the child.



IN THE SUPERIOR COURT OF \_\_\_\_\_ 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*  
[Sign in the presence of a Notary Public]

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

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

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

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

**ACKNOWLEDGMENT OF SERVICE AND WAIVER OF SUMMONS**

The undersigned Defendant hereby acknowledges service of the above Petition for Divorce, and states that he/she has received a copy of said Petition, and Defendant hereby waives any and all future notice, service, and issuance of process.

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

\_\_\_\_\_  
Defendant *pro se*  
**[Sign in the presence of a Notary Public]**

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

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

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

_____,	)	
	)	
Plaintiff,	)	
	)	
v.	)	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 depose and say that I am a resident of \_\_\_\_\_ County, \_\_\_\_\_ (state), and that the Plaintiff in the above-styled case is a resident of \_\_\_\_\_ County, Georgia. I affirm that I have received a copy of said Petition/Complaint, and I hereby waive any and all further notice, service, and issuance of process.

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\_\_\_\_\_.

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

\_\_\_\_\_  
Defendant Affiant  
[Sign in the presence of a Notary Public]

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

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

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

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

**CERTIFICATE OF SERVICE**

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

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

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

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

\_\_\_\_\_  
Plaintiff *pro se* [Sign here]

Address \_\_\_\_\_

Telephone Number(s) \_\_\_\_\_

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

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

**MOTION FOR SERVICE BY PUBLICATION**

Comes plaintiff, pursuant to O.C.G.A. § 9-10-71, and moves the court for an order directing that service on the defendant be made by publication upon the grounds that he/she cannot, after due diligence, be found within the state, as more fully appears from the affidavit filed herewith and attached hereto.

\_\_\_\_\_

Plaintiff *pro se*

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

\_\_\_\_\_

Telephone Number(s) \_\_\_\_\_

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

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

**AFFIDAVIT OF DUE DILIGENCE--SERVICE BY PUBLICATION (O.C.G.A. §9-11-4(e))**

Personally appeared \_\_\_\_\_, who, after being duly sworn, states:  
That the Defendant resides outside the State of Georgia, and his/her last known address is

\_\_\_\_\_.

--or--

That the Defendant has departed from the State of Georgia or cannot after due diligence be found within the state. The Defendant's last known address is

\_\_\_\_\_.

--or--

The last known residence of the Defendant was outside the State of Georgia at \_\_\_\_\_ on \_\_\_\_\_, 20\_\_\_. The Defendant no longer resides at the foregoing address, nor within the State of Georgia, to the best of Affiant's knowledge, and the present address or whereabouts of the Defendant is unknown to the Affiant.

--or--

The affiant has made a diligent effort to locate defendant by:

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

And cannot find defendant within this state for the reason that defendant has concealed himself by:

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

Affiant has no knowledge as to the present residence or whereabouts of the defendant.

The affiant has made the following efforts to find the Defendant (check all that apply)

- Checking with the Defendant's friends and relatives

Names, addresses, and telephone numbers of everyone plaintiff contacted:

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- Contacting the Defendant's former landlord

Name, address, & telephone number of former landlord:

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- Checking telephone information and directories

List which directories you checked:

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- Attempting to have Defendant served at his/her last known address, which is listed above

- Other: \_\_\_\_\_

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Plaintiff *pro se*

[Sign in the presence of a Notary Public]

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

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Notary Public

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

**Use this form if you do not know where the Defendant lives and cannot find the Defendant to have him or her served.**

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

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

**ORDER FOR SERVICE BY PUBLICATION**

Plaintiff having moved the Court for an order directing service to be made upon defendant \_\_\_\_\_ in the above-styled action by publication of summons, and it appearing to the Court from the verified Complaint and Affidavit in support of such motion that defendant is a nonresident and that the action is an action in which a defendant may be served by publication pursuant to O.C.G.A. § 9- 10-71, it is

ORDERED, that service upon \_\_\_\_\_ be made by publication as provided by law.

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

\_\_\_\_\_, Judge  
Ocmulgee Judicial Circuit Superior Court

Presented by:

\_\_\_\_\_

Plaintiff *pro se* [Sign here]

Use this form if you do not know where the Defendant lives and cannot find the Defendant to have him or her served.



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

\_\_\_\_\_, )  
Plaintiff, )

v. )

) Civil Action File No. \_\_\_\_\_

\_\_\_\_\_, )  
Defendant )

**NOTICE OF SUMMONS—SERVICE BY PUBLICATION**

TO: \_\_\_\_\_, Defendant Named Above:

You are hereby notified that the above-styled action seeking

\_\_\_\_\_ [state the relief sought] was filed  
against you in said court on \_\_\_\_\_, 20\_\_\_\_, and that by reason of an order for service of  
summons by publication entered by the court on \_\_\_\_\_. 20\_\_\_\_ you are hereby  
commanded and required to file with the clerk of said court and serve upon \_\_\_\_\_,  
plaintiff, whose address is \_\_\_\_\_, an answer to the complaint  
within sixty (60) days of the date of the order for service by publication. If you fail to do so,  
judgment by default will be taken against you for the relief demanded in the complaint.

Witness the Honorable \_\_\_\_\_, Judge of said Court.

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

\_\_\_\_\_  
Clerk of Superior Court \_\_\_\_\_, County  
Ocmulgee Judicial Circuit

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

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

**DOMESTIC RELATIONS FINANCIAL AFFIDAVIT OF PLAINTIFF**

1. AFFIANT'S NAME: \_\_\_\_\_ Age \_\_\_\_\_  
Spouse's Name: \_\_\_\_\_ Age \_\_\_\_\_  
Date of Marriage: \_\_\_\_\_ Date of Separation \_\_\_\_\_

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

Name	Date of Birth	Resides with
_____	_____	_____
_____	_____	_____

Names and birth dates of affiant's other children:

Name	Date of Birth	<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)

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>	\$ _____	_____	_____	_____
<u>Money owed to you:</u>	\$ _____	_____	_____	_____
<u>Tax Refund owed to 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**  
Gasoline and oil \$ \_\_\_\_\_

Garbage and Sewer \$ \_\_\_\_\_

	Repairs	\$ _____
Telephone:		
<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>	
	<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**

Childcare ( <u>total monthly cost</u> )	\$ _____	Dry cleaning/laundry	\$ _____
School tuition	\$ _____	Clothing	\$ _____
<u>Tutoring</u>	\$ _____	<u>Medical, dental, prescription</u>	
<u>Private lessons (e.g., music, dance)</u>	\$ _____	<u>(out of pocket/uncovered expenses)</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>	\$ _____
<u>Medical, dental, prescription</u>		Alimony paid to former spouse	\$ _____
<u>(out of pocket/uncovered expenses)</u>	\$ _____	Child support paid <u>for other</u>	
Grooming, hygiene	\$ _____	<u>children</u>	\$ _____
<u>Gifts from children to others</u>	\$ _____	<u>Date of initial order:</u>	_____

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\_\_\_\_\_.

\_\_\_\_\_  
Affiant  
[Sign in the presence of a Notary Public]

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.	)	

**LIS PENDENS NOTICE**

To whom it may concern:

The above-styled case has been filed demanding that the following described real property be awarded to the Plaintiff as alimony or as equitable division of property:

This Lis Pendens notice has been filed and recorded as provided by law.

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

\_\_\_\_\_

Plaintiff *pro se* [Sign here]

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

\_\_\_\_\_

Telephone Number(s) \_\_\_\_\_

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

\_\_\_\_\_,  
Plaintiff,  
v. \_\_\_\_\_,  
Defendant.

§  
§  
§  
§ Civil Action # \_\_\_\_\_  
§  
§  
§

SUMMONS

**To the above-named defendant:**

You are hereby summoned and required to file with the Clerk of said Court and serve upon \_\_\_\_\_, the *pro se* plaintiff, whose address is \_\_\_\_\_, an answer to the complaint 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 may be taken against you for the relief demanded in the complaint.

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

\_\_\_\_\_  
Clerk of the Superior Court of \_\_\_\_\_ County  
Ocmulgee Judicial Circuit

**If the defendant has not acknowledged service of the complaint and waived issuance of summons it is your responsibility to present this form to the clerk and insure it is signed and included with the complaint that is served on the defendant.**