

DIVORCE WITH MINOR CHILDREN (CONTESTED)

HELPFUL HINTS:

“Plaintiff”: The first and last name of the person who is filing this action

“Defendant”: The other party’s first and last name

“Case Number”: Leave this field blank if you are preparing to file a new case

OPTIONAL FORM:

If you are unable to afford the filing fees, you may ask the Court to waive the fees by completing the [Affidavit of Indigence and Eligibility to Proceed in Forma Pauperis \(Pauper’s Packet\)](#) and submitting it along with your other completed forms to the Clerk of Superior Court.

General Civil and Domestic Relations Case Filing Information Form

Superior or State Court of _____ County

For Clerk Use Only
Date Filed MM-DD-YYYY Case Number

Plaintiff(s)

Defendant(s)

Table with columns: Last, First, Middle I., Suffix, Prefix. Multiple rows for listing plaintiffs.

Table with columns: Last, First, Middle I., Suffix, Prefix. Multiple rows for listing defendants.

Plaintiff's Attorney Bar Number Self-Represented

Check One Case Type in One Box

General Civil Cases
Automobile Tort
Civil Appeal
Contract
Garnishment
General Tort
Habeas Corpus
Injunction/Mandamus/Other Writ
Landlord/Tenant
Medical Malpractice Tort
Product Liability Tort
Real Property
Restraining Petition
Other General Civil

Domestic Relations Cases
Adoption
Dissolution/Divorce/Separate Maintenance
Family Violence Petition
Paternity/Legitimation
Support - IV-D
Support - Private (non-IV-D)
Other Domestic Relations

Post-Judgment - Check One Case Type
Contempt
Non-payment of child support, medical support, or alimony
Modification
Other/Administrative

Check if the action is related to another action(s) pending or previously pending in this court involving some or all of the same parties, subject matter, or factual issues. If so, provide a case number for each.

Case Number Case Number

- I hereby certify that the documents in this filing, including attachments and exhibits, satisfy the requirements for redaction of personal or confidential information in O.C.G.A. § 9-11-7.1.
Is an interpreter needed in this case? If so, provide the language(s) required.
Do you or your client need any disability accommodations? If so, please describe the accommodation request.

IN THE SUPERIOR COURT OF GWINNETT COUNTY

STATE OF GEORGIA

CIVIL ACTION
NUMBER: _____

PLAINTIFF

VS.

DEFENDANT

SUMMONS

TO THE ABOVE NAMED DEFENDANT:

You are hereby summoned and required to file with the Clerk of said court and serve upon the Plaintiff's attorney, whose name and 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 by default will be taken against you for the relief demanded in the complaint.

This _____ day of _____, 20_____.

**Richard T. Alexander, Jr.,
Clerk of Superior Court**

**By _____
Deputy Clerk**

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

SUPERIOR COURT OF GWINNETT COUNTY
STATE OF GEORGIA

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

COMPLAINT FOR DIVORCE WITH MINOR CHILDREN

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

1. **Subject Matter Jurisdiction:** I am the Plaintiff in this action and:
[Check only one of the following, either (a) or (b).]
 - (a) I have been a resident of the State of Georgia for more than six (6) months immediately prior to filing this action.
 - (b) I am not a resident of the State of Georgia, but my spouse has been a resident of the State of Georgia for at least six (6) months immediately prior to my filing of this action.

2. **Venue:** My spouse is the named Defendant in this action.
[Check only one of the following, either (a), (b), (c), (d) or (e).]
 - (a) The Defendant is a resident of Gwinnett County and is subject to the jurisdiction of this Court.
 - (b) The Defendant is no longer a Gwinnett County resident, but still lives in Georgia. The Defendant and I lived together in Gwinnett County at the time we separated. I still reside in Gwinnett County, and the Defendant has only moved away from Gwinnett County within the past six months before the date of my filing this action.
 - (c) The Defendant is a Georgia resident but does not live in Gwinnett

County. I live in Gwinnett County and the Defendant has acknowledged service of process and consented to the jurisdiction and venue of this Court.

- (d) The Defendant is not a resident of the State of Georgia, but I am a resident of Gwinnett County, Georgia, and:
[Check only one of the following, either (1), (2) or (3).]
 - (1) The Defendant lives in the state of _____ and the Defendant was formerly a resident of the State of Georgia and is subject to the personal jurisdiction of the Court under Georgia’s Long Arm Statute, OCGA § 9-10-91(5).
 - (2) The Defendant lives in the state of _____ and the Defendant has never resided in the State of Georgia.
 - (3) The Defendant has acknowledged service of process and consented to the jurisdiction and venue of this Court.
- (e) I am a resident of Gwinnett County and the Defendant’s whereabouts are unknown to me. I am filing my *Affidavit of Due Diligence* with this *Complaint*, and incorporate it here by reference.

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

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

- (a) The Defendant has acknowledged service of process. I am filing the *Acknowledgment of Service* (which has been signed by the Defendant) with this *Complaint*.
- (b) The Defendant may be served by the Sheriff’s Department at the Defendant’s residence/work address, which is:

(b-1) [Check only if the Defendant lives outside Gwinnett County.] The Defendant resides outside of Gwinnett County, and shall therefore be served by second original, as provided under OCGA § 9-10-72. Service

shall be made by the sheriff's department of the county where the Defendant resides.

- (c) The Defendant's whereabouts are unknown to me. I am filing my *Affidavit of Diligent Search* with this *Complaint*. The Defendant shall be served by publication as provided under OCGA § 9-11-4(e)(1) for those who cannot be found within the State of Georgia. To the best of my knowledge, the Defendant's last known address is:

4. **Date of Marriage:**

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

- (a) The Defendant and I were lawfully married on _____
- (b) The Defendant and I are married by common law because we lived together and held ourselves out as husband and wife before January 1, 1997, beginning on _____

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

6. **Settlement Agreement:**

[Check only if there is a signed agreement.]

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

7. **Minor Children:**

[Check all that apply. If there are no minor children, you may use a different form, which is much shorter.]

- (a) The Plaintiff Defendant is pregnant. The baby is due on _____.

- (b) The Plaintiff Defendant **is** the biological parent of (or has legally adopted) the minor child(ren) listed below who was/were born before or during the marriage:

Name of child	Sex	Year of Birth	Lives with (Plaintiff, Defendant, other)

- (c) The Plaintiff Defendant **is not** the biological parent of the minor child(ren) listed below who was/were born during the marriage, and his legal rights to this/these child(ren) should be terminated:

Name of child	Year of Birth	Name of biological Parent

8. Children's Current Residence:

Child(ren)'s current address: _____

City, State ZIP _____

County: _____

The child(ren) has/have lived at this address since approximately (month and year): _____

9. **Children’s Past Residences:**

During the past five years, the child(ren) has/have lived at the following addresses:

Dates at Address	Address
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

10. **People With Whom Children Have Lived:**

During the past five years, the children have lived with the following people:

Name of Person	Current Address
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

11. **Other Court Cases About Children:**

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

- (a) I have never participated as a party or a witness or in any other capacity in any other litigation concerning the custody of or visitation with the minor children in this or any other state.

- (b) I have participated in other litigation concerning the custody of the minor children in Georgia or another state. The court, case number and date of any order concerning custody or visitation under the other litigation are as follows:

12. **Other Proceedings That Could Affect Custody or Visitation in This Case:**

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

(a) I do not have any information of any proceeding that could affect this case, including proceedings for enforcement and proceedings relating to family violence, protective orders, termination of parental rights, and adoptions in this or any other state.

(b) I have information about a proceeding that could affect this case, including proceedings for enforcement and proceedings relating to family violence, protective orders, termination of parental rights, or adoptions in this or another state. The court, the case number and the nature of the proceeding are as follows:

13. **Others Claiming Custody or Visitation:**

[Check only one of these, either (a) or (b).]

(a) I do not know of any person who is not a party to this case, who has physical custody of the children or who claims to have custody or visitation rights with respect to the children.

(b) I know of someone who is not a party to this case, who has physical custody of the children or who claims to have custody or visitation rights with respect to the children. The names and current addresses of the person(s) are as follows:

14. **Child Custody and Visitation:** I am a fit and capable parent, and I believe that the following custody arrangement is in the best interests of the children:
[Check only one of the following, either (a), (b), (c) or (d).]

- (a) I should have legal and physical custody.
- (b) The Defendant and I should share joint legal custody but I should have primary physical custody and the Defendant should have visitation.
- (c) The Defendant and I should share joint legal custody but the Defendant should have primary physical custody and I should have visitation.
- (d) Other custody arrangement:

Permanent Parenting Plan. I understand I am required to prepare a Parenting Plan which:

- I am filing a Parenting Plan with this *Complaint*.
- I will file a Parenting Plan before the first hearing in this case.

15. **Child Support:**
[Check only one of these, either (a), (b) or (c).]

- (a) The Defendant has income or is capable of earning sufficient money to support the minor children.
- (b) I have income or am capable of earning sufficient money to support the minor children.
- (c) The issue of child support cannot be decided in this action because the

Court does not have personal jurisdiction over the Defendant.

16. **Health Insurance for Children:**

[Check only one of these, either (a), (b), (c) or (d).]

- (a) The Defendant should be ordered to maintain a policy for medical, dental and hospitalization insurance for the minor children.
- (b) I already provide health insurance for the children, and the Defendant should be required to reimburse me for a fair share of the cost each month.
- (c) I am not asking the Court to address this issue in this case.
- (d) The issue of health insurance cannot be decided in this action because the Court does not have personal jurisdiction over the Defendant.

17. **Other Medical Expenses for Children:**

[Check only one of these: (a), (b), (c) or (d).]

- (a) The Defendant should be responsible for all expenses incurred for the children's medical, dental, and hospital care that are not covered by insurance.
- (b) The Defendant and I should share the cost of expenses incurred for the children's medical, dental, and hospital care that are not covered by insurance.
- (c) I am not asking the Court to address this issue in this case.
- (d) The issue of health care expenses for the children cannot be decided in this action because the Court does not have personal jurisdiction over the Defendant.

18. **Life Insurance to Support Children:**

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

- (a) The children depend on the Defendant for support, and therefore the Defendant should maintain a policy of insurance on the Defendant's life, for the benefit of the minor children. The Defendant should maintain the policy for so long as at least one of the children is a minor or is otherwise entitled to child support.

- (b) I am not asking the Court to address this issue in this case.
- (c) The issue of life insurance for the children cannot be decided in this action because the Court does not have personal jurisdiction over the Defendant.

19. Alimony:

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

- (a) I am financially dependent on the Defendant and need the Court to order the Defendant to pay alimony for my support.
- (b) I am not asking for alimony.
- (c) The issue of alimony cannot be decided in this action because the Court does not have personal jurisdiction over the Defendant.

20. Marital Property:

[Check only one of the following, either (a), (b), (c) or (d). Do not include complete account numbers.]

- (a) The Defendant and I did not obtain any property during our marriage.
- (b) The Defendant and I have already divided our marital property, and we are both satisfied with the division.
- (c) The Defendant and I obtained the following marital property listed below on a separate sheet of paper attached to this *Complaint*, and I am asking for a fair division of this property:

Type	Description
<input type="checkbox"/> House (address):	_____
<input type="checkbox"/> Other Real Estate (address):	_____
<input type="checkbox"/> Mobile Home	_____

(year, model): _____

Pension(s):

Mine worth: _____

Defendant's
worth: _____

Motor Vehicles

Year

Make

Model

Bank Accounts

Name of Institution, type of account

Other property

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

21. **Joint or Marital Debts:**

[Check only one of the following, either (a), (b), or (c). Do not include complete account numbers.]

- (a) The Defendant and I do not have any outstanding joint or marital debts.
- (b) The Defendant and I agree that our outstanding joint or marital debts should be divided as indicated in the signed Settlement Agreement.
- (c) The Defendant and I have the following outstanding joint or marital debts, and responsibility for paying them should be as listed below on a separate sheet of paper attached to this *Complaint*.

Creditor

Balance

Who Should Pay

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

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

22. **Restraining Order Where Violence Has Occurred:**

[Read instructions carefully and check only if applicable.]

There is a history of physical violence by the Defendant toward me, and I am afraid that the Defendant will engage in further acts of violence or harassment toward me unless the Court enters a temporary and permanent restraining order.

23. **Restore Former or Maiden Name:**

[Check only if applicable.]

I am asking the Court to restore my former or maiden name, which is:

24. **Grounds for Divorce:**

[Check the ones that you can prove at trial.]

My grounds for divorce from the Defendant are:

- (a) **Our marriage is irretrievably broken.** The Defendant and I can no longer live together and there is no hope that we will get back together.
- (b) **Cruel treatment** - The Defendant committed the following acts of cruel treatment toward me:

- (c) **Adultery** - The Defendant has had sexual intercourse with someone else during our marriage.
- (d) **Desertion** - The Defendant has intentionally and continually deserted me for at least a year.
- (e) **Other grounds** from list in OCGA § 19-5-3, as explained here:

FOR THESE REASONS, I REQUEST THE FOLLOWING RELIEF:
[Check all that apply.]

- (a) That process and summons issue as provided by law;
- (b) That Defendant be served with a copy of this Complaint;
- (c) That I be granted a total divorce from the Defendant;
- (d) That the *Settlement Agreement* signed by the parties be incorporated into the *Final Judgment and Decree of Divorce*;
- (e) That the Plaintiff's Defendant's legal rights to the children listed in Paragraph 7(c) be terminated;
- (f) That the custody and visitation for the children listed in Paragraph 7(b) be ordered according to Paragraph 14;
- (g) That child support, health insurance, medical expenses and life insurance for the support of the children listed in Paragraph 7(b) be ordered according to Paragraphs 15, 16 and 17;
- (h) That the Defendant be ordered to pay me alimony for my support;
- (i) That our marital property be divided according to Paragraph 20;
- (j) That our joint or marital debts be divided according to Paragraph 21;

- (k) That the Defendant be temporarily and permanently restrained from harassing me or committing any acts of violence toward me;
- (l) That my former or maiden name be restored according to Paragraph 23;
- (m) That a Rule Nisi be scheduled by the Court, to decide on the relief I have requested;
- (n) That the Court order the parties to participate in mediation, to try to resolve this matter; and
- (o) That the Court order any and all other relief that the Court finds appropriate.

Dated: _____

Plaintiff *Pro se* [signature]

Name: _____

Address: _____

City, State ZIP

Phone: _____

Email: _____

SUPERIOR COURT OF GWINNETT COUNTY
STATE OF GEORGIA

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

VERIFICATION

I am the Plaintiff filing this action. I swear or affirm that I have read the *Complaint for Divorce with Minor Children* and that the facts contained within my *Complaint* are true and correct.

Plaintiff *[signature]*

SWORN AND AFFIRMED before me this
____ day of _____ 20____.

NOTARY PUBLIC

SELECT AND COMPLETE A PARENTING PLAN

The parenting plan includes required language and provisions which are required by Georgia law.

Options:

1. **Blank parenting plan**
Select your own provisions based on your family's special circumstances.
2. **Standard parenting plan**
Includes provisions such as joint legal custody, alternating weekends, alternating holidays and two weeks of summer vacation. You may customize provisions as necessary.
3. **Long distance parenting plan**
Includes provisions for situations where the non-custodial parent lives out of state.
4. **Sole custody to petitioner**
This plan is intended for the following situations:
 - The non-custodial parent cannot be located
 - The non-custodial parent is incarcerated
 - One of the parties is not the biological father of a child(ren) born during the marriage.
 - If your spouse is the biological/adoptive parent of any of the other children, you will need to select a 2nd Parenting Plan from the options above.
5. **Joint legal and joint physical (50/50) custody.** Attorney consultation is recommended before selecting this plan.

Visit the Parenting Plan page located at:

<http://gwinnettfllc.atlantalegalaid.org/child-custody/parenting-plans/>

Child Support Worksheet

Create an account and create your child support worksheet by visiting:
<https://csconlinecalc.georgiacourts.gov/frontend/web/index.php>

Judicial Council of Georgia
Administrative Office of the Courts

Georgia Child Support Calculator

Most Visited Home ALAS Home ALAS Intranet LegalServer Child Support Calcula... CAM entry (combined) Gwinnett County Cou... GFLC

Help Signup Login

STATE OF GEORGIA
1776

STATE OF GEORGIA
1776

STATE OF GEORGIA
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STATE OF GEORGIA
1776

Welcome to the Georgia Online Child Support Calculator.

The Georgia Child Support Calculator has been developed and made available by the Georgia Commission on Child Support as the official calculator for Georgia's Child Support Guidelines statute found at O.C.G.A. §19-6-15. Information entered in the calculator is used to determine a presumptive amount of child support that may be deviated from to reach a final child support amount. Printable electronic forms are produced for filing with the court consisting of a Worksheet and Schedules. Begin by entering information for your Worksheet on the Basic Information Worksheet tab. Helpful instructions are included to assist as you navigate the calculator.

Announcement
The two Excel child support calculators and the EZ paper worksheet will be discontinued effective September 30, 2018. Make the transition today to the Online Child Support Calculator by clicking Signup above.

For additional help, please review the Child Support Worksheet slideshow at:
<http://gwinnettflc.atlantalegalaid.org/wp-content/uploads/2015/12/Child-Support-Slideshow.pdf>

COMPLETE FINANCIAL AFFIDAVIT

Domestic Relations Financial Affidavit

It is possible you do not need to complete the Financial Affidavit, if:

- You and your spouse have a signed Settlement Agreement and have agreed to the amount of child support; or
- Your spouse was never a Georgia resident and you cannot ask for child support or alimony; or
- You are already receiving child support or alimony and you are not asking the court to address these issues.

Complete the [Domestic Relations Financial Affidavit](#) if you do NOT have a Settlement Agreement and:

- Your spouse is a Gwinnett County resident and you are asking for child support or alimony; or
- Your spouse is a former Georgia resident who lives out of state and you are asking for child support and/or alimony; or
- You are asking the Court to make a fair division of marital property; or
- You are asking the Court to make a fair division of marital debt; or
- You receive a notice from the Judge directing you to complete the form.

IN THE SUPERIOR COURT OF GWINNETT COUNTY
STATE OF GEORGIA

Plaintiff,

Civil Action File No.:

v.

Defendant.

FINAL JUDGMENT AND DECREE OF DIVORCE

Upon consideration of evidence submitted and upon legal principles, the Court grants a total divorce, a divorce *a vinculo matrimonii*, to Plaintiff and Defendant. The Court orders and decrees that the marriage contract heretofore entered into between Plaintiff and Defendant, from and after this date, be set aside and dissolved as if no such contract had ever been made or entered into, and Plaintiff and Defendant, formerly husband and wife, in the future shall be held and considered as separate and distinct persons, altogether unconnected by any nuptial union or civil contract whatsoever.

The prior name of the wife, _____, is restored to her.

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

As required by O.C.G.A. § 19-6-15(m)(1), the *CHILD SUPPORT WORKSHEET* of Mother Father Court, filed dated _____ is incorporated herein by reference and made a part of this *Final Judgment & Decree*.

The *CHILD SUPPORT ADDENDUM* filed dated _____ is incorporated herein by reference and made a part of this *Final Judgment & Decree*. Each party is ORDERED to comply with the terms and conditions therein.

The drafting mandates of O.C.G.A. § 19-9-1, regarding a *Permanent Parenting Plan* have been satisfied by:

- The *Agreement*, referenced herein above; OR
- The *PERMANENT PARENTING PLAN* filed dated _____ is incorporated herein by reference & made a part of this *Final Judgment & Decree*. Each party is ORDERED to comply with the terms and provisions therein.

Pursuant to O.C.G.A. § 19-6-32, the Court finds that an immediate *Income Deduction Order for Award of Child Support* is not warranted. However, pursuant to O.C.G.A. §§ 19-6-31, 32 & 33, the recipient of child support has the express right, without notice to the other party, at the time this *Final Judgment and Decree* is entered or at any time thereafter, to submit a separate *Income Deduction Order for Award of Child Support* to the Court for immediate entry. Pursuant to O.C.G.A. §§ 19-6-30, 31, 32 & 33, whenever in violation of the terms of this *Final Judgment and Decree*, 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 month, the payments required to be made may be collected by the process of continuing garnishment for support and/or by *Income Deduction Order for Award of Child Support*.

This is to certify that the above is a true and correct copy of the Final Judgment and Decree in the above stated case.

This ____ day of _____, 20__.

Deputy Clerk, Gwinnett Superior Court

SO ORDERED,

this ____ day of _____ 20__.

Judge, Gwinnett Superior Court

By designation (**FJDC-072413 – SUP 10-196**)

IN THE SUPERIOR COURT OF GWINNETT COUNTY
STATE OF GEORGIA

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

CHILD SUPPORT ADDENDUM

Pursuant to O.C.G.A. § 19-6-15(c)(2), the Court makes the following applicable and required findings:

1. This addendum is issued as:

- a final; a temporary; in
 an initial action; a modification action.

2. The Gross Income of the Father is \$_____ per month. O.C.G.A. § 19-6-15(c)(2)(C).

The Gross Income of the Mother is \$_____ per month. O.C.G.A. § 19-6-15(c)(2)(C).

(SEE CHILD SUPPORT WORKSHEET(S) OF Mother Father Court,
 DATED/ FILED _____ INCORPORATED BY
REFERENCE HEREIN.) O.C.G.A. § 19-6-15(m)(1).

3. Is health insurance for the child(ren) involved reasonably available at a reasonable cost to either parent? YES NO

If YES, then (a) father, OR (b) mother, OR (c) both parents, shall provide accident and sickness insurance for the child(ren) for as long as child support continues. O.C.G.A. § 19-6-15(c)(2)(D).

4. Mother shall pay _____% and Father shall pay _____% of all expenses incurred for the children's health care (including medical, dental, mental health, hospital and vision care) that are not covered by insurance. The party who incurs such expense shall provide documentation thereof to the other party within fourteen days of said expenditure with a short note explaining the details, the reasons, et cetera, of said expenditure. The other party shall reimburse the incurring party (or pay the health care provider directly) for the appropriate percentage of the expense, within fourteen days after receiving the verification of a particular health care expense. O.C.G.A. § 19-6-15(c)(2)(G).
5. Pursuant to the visitation schedule, the noncustodial parent's parenting time is _____ percent annually. (*Standard Visitation with alternating weekends, holidays plus 2 weeks during the summer represents 20.8% parenting time for the noncustodial parent. With three weeks of summer vacation, the noncustodial parent's parenting time is 22.8% and with four weeks of summer vacation, the noncustodial parent's parenting time is 24.7%.*) O.C.G.A. § 19-6-15(c)(2)(F).
6. The presumptive amount of child support as indicated by the *Child Support Worksheet* (#9 on Page 1 thereon) is \$_____ per month for Mother and \$_____ per month for Father. O.C.G.A. § 19-6-15(c)(2)(A) and (B).
7. Deviation(s)
- a. *No Deviation. (If NO deviation, please skip the remaining items in item 7 and continue to item 8 to complete this form.)*
- b. *Deviation. If DEVIATION, you MUST complete EITHER item 7(b)(i) OR item 7(b)(ii)*
- ii. It has been determined that one or more of the Deviations allowed under O.C.G.A. §19-6-15 applies in this case. *Schedule E of the Child Support Worksheet*, docketed separately but simultaneously herewith, explains the reasons for the deviation, how the application of the guidelines would be unjust or inappropriate considering the relative ability of each parent to provide support, and how the best interest of the children who are subject to this child support determination is served by deviation from the presumptive amount of child support.

OR

iii. The reasons for deviation are:

Would the presumption amount be unjust or inappropriate?

Explain _____

Would deviation serve the best interests of the children for whom support is being determined? Explain _____

Would deviation seriously impair the ability of the CUSTODIAL or NON-CUSTODIAL PARENT to maintain adequate housing, food and clothing for the children being supported by the order and to provide other basic necessities. Explain _____

8. Taking into consideration all of the applicable data from the *Child Support Worksheet*, the award of child support which Mother / Father shall pay to Mother / Father for support of the child(ren) is \$_____dollars per month. Said amount shall be payable monthly weekly bi-weekly semi-monthly OR (c) other period: _____ in the amount of \$_____ beginning on _____, and payable thereafter on payable monthly weekly bi-weekly semi-monthly OR (c) other period: _____ until the child becomes 18 years of age, dies, marries, or otherwise becomes emancipated, except that if the child becomes 18 years of age while enrolled in and attending secondary school on a full-time basis, then such support shall continue until the child completes secondary school provided that such support shall not be required after the child attains 20 years of age. O.C.G.A. § 19-6-15(c)(2)(A) and (B).

So found, this _____ day of _____, 20_____.

 Judge, Superior Court Gwinnett Judicial Circuit
 [] by designation.

Consented to by:

 Plaintiff

 Defendant

 Date

 Date

IMPORTANT NOTE ABOUT THIS FORM

ONLY use this form if you are filing a divorce and the husband is not the biological father of a child born during the marriage and you want to terminate the husband's rights.

For a list of other custody and parenting time arrangements, please visit the [Parenting Plan](#) page.

GWINNETT COUNTY SUPERIOR COURT
STATE OF GEORGIA

Plaintiff,
v.

Defendant.

Civil Action
File No.: _____

ORDER TERMINATING PARENTAL RIGHTS

After considering the evidence and applicable law, it is the judgment of this Court that the parental rights of Plaintiff Defendant, _____, shall be terminated as follows:

The following child(ren) was/were born during the parties' marriage but is/are not Husband's biological child(ren):

Name of Child	Year of Birth

This termination is ordered pursuant to O.C.G.A. § 19-7-1(b)(8), as part of the Court's order granting a divorce. This Court finds termination to be in the best interest of the minor child(ren), in that the termination of Husband's legal status will open the door for legitimation by the biological father of the minor child(ren), or for stepparent adoption by any future stepfather. Therefore, the Court finds the Mother is the sole legal and physical custodian of the minor child(ren).

SO ORDERED THIS _____ day of _____, 20__.

JUDGE, GWINNETT SUPERIOR COURT

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

1. Civil Action Number	2. Date Decree Granted (mo., day, year)	3. County Decree Granted
4. Wife's Name (first, middle, last)	5. Maiden (Birth) Last Name	6. Date of Birth (mo., day, year)
7. County of Residence	8. Number of This Marriage (1 st , 2 nd , etc.)	
9. Husband's Name (first, middle, last, generation)	10. Date of Birth (mo., day, year)	11. County of Residence
12. Number of This Marriage (1 st , 2 nd , etc.)	13. Date of This Marriage (mo., day, year)	
14. Specify Grounds For Divorce (19-5-3, OCGA)	15. Number of Children Less Than 18 Affected by This Decree	

This above Report may be reproduced by use of a computer. However, the finished Report must be a close reproduction of the original, and prior review and approval must be obtained from the State Registrar before use.
(31-10-7, O.C.G.A.)

31-10-22. Record of divorce, dissolutions, and annulments.

(a) A record of each divorce, dissolution of marriage, or annulment granted by any court of competent jurisdiction in this state shall be filed by the clerk of the court with the department and shall be registered if it has been completed and filed in accordance with this Code section. The record shall be prepared by the petitioner or the petitioner's legal representative on a form prescribed and furnished by the state registrar and shall be presented to the clerk of the court with the petition. **In all cases, the completed record shall be a prerequisite to the granting of the final decree.**

(b) The clerk of the superior court shall complete and forward to the department on or before the tenth day of each calendar month the records of each divorce, dissolution of marriage, or annulment decree granted during the preceding calendar month.

General Civil and Domestic Relations Case Disposition Information Form

Superior or State Court of _____ County

For Clerk Use Only

Date Disposed _____ Case Number _____
MM-DD-YYYY

Case Style _____

Plaintiff(s)

Defendant(s)

Last	First	Middle I.	Suffix	Prefix

Last	First	Middle I.	Suffix	Prefix

Reporting Party _____

Plaintiff's Attorney _____

Bar Number _____

Self-Represented

Defendant's Attorney _____

Bar Number _____

Self-Represented

Manner of Disposition
Check Only One

Jury Trial

Bench/Non-Jury Trial

Non-Trial Disposition

Alternative Dispute Resolution

- Check if any party was self-represented at any point during the life of the case.
- Check if the court ordered an interpreter for any party, witness, or other involved individual.
- Was the case referred/ordered to a court-annexed alternative dispute resolution (ADR) process?

HOW TO FILE YOUR DOCUMENTS AT THE COURTHOUSE

- 1. Download all current administrative court forms at:
<http://gwinnettflc.atlantalegalaid.org/administrative-court-forms/>
- 2. Double-check that you have signed all of your documents.
- 3. Go to the Clerk of Superior Court; they have a computer and scanner available for you to use.
- 4. Scan your documents, at the kiosk, one at a time

SUPERIOR COURT OF GWINNETT COUNTY
STATE OF GEORGIA

Plaintiff,		Civil Action File No.:
Defendant.	TITLE OF DOCUMENT	

Example of case heading

- Each page with the case heading is a separate document.
- Label the document in a way you will remember, for example:
 - Initials, Summons
 - Initials, Complaint
 - Initials, Financial Affidavit

- 5. Follow the instructions on the computer for filing with Tyler’s Odyssey eFileGA.
- 6. Ask for help if necessary.
- 7. Set up an account or enter in your email address. There is no fee to set up an account.
- 8. Choose "upload documents" and then upload all of the documents you just scanned.
- 9. After filing, wait 24 to 48 business hours to receive an “acceptance” email. If your filing was not accepted, you will receive an email that explains why (for example, no signature or no date).
- 10. The accepted documents will be stamped with a case number, date and time.
- 11. Print two copies of the stamped, accepted document(s). One copy is for your records. The second copy is for the other party.
- 12. Serve the other party. Review your options at <http://gwinnettflc.atlantalegalaid.org/filing-and-service-instructions/>

Want to file your case from home? Visit
<http://gwinnettflc.atlantalegalaid.org/how-to-efile/>

INSTRUCTIONS FOR

SERVICE BY GWINNETT COUNTY SHERIFF

- 1. **Efile from the courthouse or from home.** For more details, visit:
<http://gwinnettflc.atlantalegalaid.org/how-to-efile/>.
- 2. Once your case has been accepted, print a copy of all the date-stamped forms and deliver them to the Gwinnett County Sheriff/Civil Processing Unit. You must pay separately for their service of Summons, which is \$50 if you have not obtained a fee waiver.
- 3. The Sheriff will file the proof of service in the court record. You should contact the court, or visit the website to confirm that the Sheriff's entry of service has been documented for your case.
- 4. Wait for notice of a court date or a request for additional information from the court or from the other party.

Courthouse Information

Gwinnett Justice and Administration Center
ATTN: Clerk of Superior Court
75 Langley Drive
Lawrenceville, GA 30046
Tel: (770) 822-8100

Can't serve the other party in Gwinnett County? See more options at
<http://gwinnettflc.atlantalegalaid.org/category/filing-instructions/>.