

SUPERIOR COURT OF GWINNETT COUNTY
STATE OF GEORGIA

Petitioner, Civil Action
vs. Case Number _____

Respondent.

**PETITION FOR REGISTRATION, CONTEMPT AND
MODIFICATION OF CUSTODY ORDER**

My name is _____ and I am representing myself in this petition. In support of my case, I state the following:

1. **Jurisdiction and Venue:**
[Check only one of the following, either (a) or (b).]
 - (a) The Respondent is a resident of Gwinnett County, Georgia and is subject to the jurisdiction of this Court.
 - (b) The Respondent is a resident of _____ County, Georgia, but I live in Gwinnett County. The Respondent has acknowledged service of process and consented to the jurisdiction and venue of this Court.

2. **Service of Process:** The Respondent shall be served as provided under OCGA §9-11-4, following manner:
[Check only one of the following, either (a) or (b).]
 - (a) The Respondent has acknowledged service of process. I am filing the Acknowledgment of Service (which has been signed by the Respondent) with this Petition.
 - (b) The Respondent may be served by the Sheriff's Department at the Respondent's home work address, which is

- (b-1) [Check only if the Respondent resides outside of Gwinnett County.]
The Respondent 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 in the county where the Respondent resides.

3. **Minor Children:**

The Respondent and I are the parents of _____ minor children, listed below:

<i>Name of Child</i>	<i>Male / Female</i>	<i>Year of Birth</i>

4. **Children's Current Residence:**

The minor children currently live at _____
in _____ County, _____ with the
 Petitioner Respondent _____. The
children have lived at this address since approximately _____.

5. **Children's Past Residences:**

During the past five years, the minor children have lived at the following addresses:

<u>Dates at Address</u>	<u>Address</u>
_____	_____
_____	_____
_____	_____
_____	_____

6. **Adults With Whom Children Have Lived:**

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

<u>Name of Person</u>	<u>Person's Current Address</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

7. **Prior Custody Determination:** On _____, the _____ Court of _____, County in the State of _____, Civil Action File Number _____ made a custody determination awarding legal custody of the minor children to the Petitioner Respondent _____ and physical custody of the minor children to the Petitioner Respondent _____. This Order has not been modified. See attached two copies, including one certified copy, of the Order marked Exhibit A and Exhibit B.

8. **Other Proceedings That Could Affect Custody of Visitation in This Case:**
[Check only one, 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:

9. **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 minor 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 minor children or who claims to have custody or visitation right with respect to the children. The names and present addresses of the person(s) are:

_____.

10. The Respondent has failed to do what the Court ordered.

11. The Respondent is able to do what the Court ordered, but has willfully refused to do so.

12. Since the date of the prior custody determination, there has been a change in circumstances which materially affects the welfare of the minor children.
[*Check all that apply.*]

- (a) The Respondent has consented to the modification of custody. I am filing the *Consent* (which has been signed by the Respondent) with this Petition.

- (b) The minor children want to live to me and have signed an *Affidavit of Custody Election*. I am filing the *Affidavit* with this petition.

- (c) The Respondent was awarded physical custody of the minor children in the prior custody determination, but the minor children have been living with me since _____.

- (d) The Respondent is unable to care for the children because:

_____.

13. **Child Custody and Visitation:** I believe that custody and visitation arrangement set forth in the attached Permanent Parenting Plan is in the best interests of the child(ren). Custody and visitation should be ordered as set forth in the attached Parenting Plan.

14. **Child Support:**

[Check only one of these, either (a), (b), (c) or (d) if you are requesting a modification of child support.]

- (a) The Respondent has income or is capable of earning sufficient money to support the minor child(ren).
- (b) I have income or I am capable of earning sufficient money to support the minor child(ren).
- (c) I am not asking the Court to address this issue in this case.
- (d) The issue of child support cannot be decided in this action because the Court does not have personal jurisdiction over the Respondent.

THEREFORE, I request the following:

[Check all that apply.]

- (a) That the attached Custody Order be registered and filed as a foreign judgment;
- (b) That the Court serve notice upon the Respondent and provide him/her with an opportunity to contest the validity of the registered order;
- (c) That a Rule Nisi be scheduled to decide on the relief I have requested;
- (d) That the Respondent be held in contempt for his/her failure to comply with the Court's order;
- (e) That the custody and visitation for the child(ren) be ordered according to Paragraph 12;
- (f) That the prior child support order be modified if the prior child custody determination is modified;

(g) _____

_____;

(h) That the Court order the parties to participate in mediation to try to resolve this matter;

(i) That the Respondent be required to pay all costs of this action; and

(j) That the Court order any and all other relief that the Court finds appropriate.

Dated: _____

Petitioner, Pro se (Signature)

Name: _____

Address: _____

Phone: _____

SUPERIOR COURT OF GWINNETT COUNTY
STATE OF GEORGIA

_____, Petitioner, vs. _____, Respondent.		Civil Action Case Number _____
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VERIFICATION

PERSONALLY APPEARED BEFORE ME, the undersigned officer authorized to administer oaths, _____ who after having been duly sworn, on oath depose and states that the facts contained in the foregoing *Petition Registration, Contempt and Modification of Child Custody Order* are true and correct.

Dated: _____
_____ Petitioner *pro se* [signature]

Subscribed and sworn before me on
_____, 20__.

Notary Public