

REGISTRATION, CONTEMPT AND MODIFICATION OF CUSTODY PACKET

“**Petitioner**”: The biological father’s first and last name

“**Respondent**”: 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 submit 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 _____ Case Number _____
MM-DD-YYYY

Plaintiff(s)

Last	First	Middle I.	Suffix	Prefix

Defendant(s)

Last	First	Middle I.	Suffix	Prefix

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. _____
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

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,		Civil Action
vs.		Case Number _____
Respondent.		

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

IN THE SUPERIOR COURT OF GWINNETT COUNTY
STATE OF GEORGIA

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

PERMANENT PARENTING PLAN

The parties have agreed to the terms of this plan and this information has been furnished by both parties to meet the requirements of OCGA Section 19-9-1. The parties agree on the terms of the plan and affirm the accuracy of the information provided, as shown by their signatures at the end of this order.

This plan has been prepared by the judge.

This Plan: is a new plan. modifies an existing Parenting Plan dated _____.
 modifies an existing Order/Judgment dated _____.

1. Custody and Decision Making:

A. Legal Custody shall be (choose one :)

with the Mother with the Father Joint

B. Primary Physical Custodian

For each of the children named below the primary physical custodian is:

	Birth Yr	[] Mother	[] Father	[] Joint
	Birth Yr	[] Mother	[] Father	[] Joint
	Birth Yr	[] Mother	[] Father	[] Joint
	Birth Yr	[] Mother	[] Father	[] Joint
	Birth Yr	[] Mother	[] Father	[] Joint

Mother's Initials

Father's Initials

WHERE JOINT PHYSICAL CUSTODY IS PROPOSED BY THE PARENTS OR ORDERED BY THE COURT, A DETAILED PLAN OF THE LIVING ARRANGEMENTS OF THE CHILD(REN) SHALL BE ATTACHED HERETO AND MADE A PART OF THIS PARENTING PLAN.

C. Day-To-Day Decisions

Each parent shall make decisions regarding the day-to-day care of a child while the child is residing with, or in the physical custody of, that parent, including any emergency decisions affecting the health or safety of a child.

D. Major Decisions

Major decisions regarding each child shall be made as follows:

- Educational decisions Mother Father Joint
- Non-emergency healthcare Mother Father Joint
- Religious upbringing Mother Father Joint
- Extracurricular activities Mother Father Joint

- _____ Mother Father Joint

- _____ Mother Father Joint

- _____ Mother Father Joint

E. Disagreements

Where parents elect joint decision making in Section 1(D), directly above, please explain how disagreements for final decision-making will be resolved.

- Primary physical custodial parent has final decision making authority.
- The plan detailed below, which must provide a 'tie breaker' method so that a final decision will be promptly made.)

2. Parenting Time/Visitation Schedules

A. Definitions & Times for Weekend & Weekday Parenting

For the purposes of this parenting plan, the following definitions and times apply:

Weekend: A 'weekend' starts at _____ a.m./p.m. on (select day) (Thursday/Friday/Saturday) and ends at _____ a.m./p.m. on (select day) (Sunday/ Monday/ Other: _____)

Weekday: 'Weekday visitation,' listed below begins at _____ a.m./p.m. and ends:

at _____ p.m.; *or*

at the designated time when the child(ren) is/are to be returned to school or day care on the next morning; *or*

Other: _____

This schedule shall follow the annual Gwinnett County Public Schools _____ published calendar unless otherwise indicated herein.

This parenting schedule begins: _____

date of Court's Order (day and time)

During the term of this parenting plan the non-custodial parent shall have at a minimum the following rights of parenting time/visitation (*choose applicable items*):

The first and third weekend of each month.

The first, third, and alternate fifth weekend of each month.

The second and fourth weekend of each month.

The second, fourth and alternative fifth weekend of each month.

Every other weekend starting on _____.

Weekday parenting time/ visitation on (*choose an item*):

None.

Every _____ (*insert day of week*) evening.

Every other _____ (*insert day of week*) evening during the week before a non-visitation weekend.

Every _____ (*insert day of week*) and _____ (*insert day of week*) evening.

Other: _____

In the event any parenting time set forth is denied the *Non-Primary Physical Custodial Parent* (NPPCP) because of any unforeseen emergency or illness, the *Primary Physical Custodial Parent* (PPCP) shall promptly notify NPPCP and the parents shall, at that time, agree to an alternate time for make up time with the child(ren) so as to insure that NPPCP's total number of days with the child(ren) shall not be decreased. In the event the parents cannot agree at that time as to the appropriate make-up time, then the NPPCP's default make-up time for amount of parenting time lost shall be the very next non-holiday weekend/weekday(s) thereafter. (This means that a parent may, from time to time, have consecutive parenting weekends.)

**B. Major Holidays and Vacation Periods
Thanksgiving**

Odd numbered years: The mother father shall have the child(ren) from _____ m. on Wednesday until _____ m. on Sunday.

Even numbered years: The mother father shall have the child(ren) from _____ m. on Wednesday until _____ m. on Sunday.

Other: _____

Winter Break – Vacation

(First period begins on the date school is dismissed. The second period begins on the date chosen by the parties and ends on the day before school resumes. The same schedule applies to pre-school age children. The parents shall follow the annual public school calendar set forth hereinabove, unless otherwise indicated herein.)

First period: The mother father shall have the child(ren) for the *first* period from the day and time school is dismissed until December _____ at _____ a.m./p.m. in odd numbered years even numbered years every year.

Second period: The other parent will have the child(ren) for the *second* period from the day and time indicated above until 6:00 p.m. on the evening before school resumes. Unless otherwise indicated, the parties shall alternate the first and second periods each year.

Other agreement of the parents/order of the court: _____

_____.

Summer Vacation (Define summer vacation period)

Weeks during the months of June, July and August from when the traditional school year ends until the beginning of the traditional school year.

Other definition: _____

Each parent has the right to have sole and exclusive summer vacation time with the child(ren) which supersedes other weekend and other visitations.

Fixed Annual Summer Vacation Period (check applicable)

The Mother shall have summer vacation with the child(ren) each year from the first second third fourth _____ (insert day of week) of _____ (month) until the first second third fourth _____ (insert day of week) of _____ (month) for a total of _____ weeks.

The Father shall have summer vacation with the child(ren) each year from the first second third fourth _____ (insert day of week) of _____ (month) until the first second third fourth _____ (insert day of week) of _____ (month) for a total of _____ weeks.

Summer Vacation Period Chosen Annually

[] The plan incorporates the duty to give advance notices, effect of failure to give timely notice and summer vacation times periods to be chosen on a year to year basis.

Mother

Father

Advance notice shall be given no later than:

By April ____.

By April ____.

(Intent of this advance notice provision requires that the parents coordinate their respective vacation plans and any summer camp/extracurricular activities for any child.)

Failure to give notice:

Then Father has first priority to select his weeks.

He must give 14 days' notice and is subject to Mother's camp/vacation plans already made.

Amount of time shall be inclusive of week-ends times with that parent and shall be consecutive.

A period(s) of _____ weeks.

A period(s) of _____ weeks.

In no event will the non-primary custodial parent's time with each child be within the first seven (7) days after the academic school year ends or within seven (7) days before the academic school year begins unless otherwise specifically agreed to by the parents.

[] Other: The regular day to day schedule shall apply unless other arrangements are set forth below: *(if applicable)*

beginning _____.

Spring Vacation *(if applicable)*

[] Consecutive days during the month(s) of March or April when the traditional school year calendar has a one week holiday period. (May include and supersede Easter Sunday in certain years.)

[] Other definition: _____

[] The **Mother** shall have Spring Vacation with the child(ren)
[] odd [] even numbered years from _____ .m. on the day the child(ren) is/are released from school until _____ .p.m. on the day before the child(ren) is/are to return to school.

[] The **Father** shall have Spring Vacation with the child(ren)
[] odd [] even numbered years from _____ .m. on the day the child(ren) is/are released from school until _____ .p.m. on the day before the child(ren) is/are to return to school.

[] The day to day schedule shall apply unless other arrangements are set forth: : *(if applicable)*

beginning _____.

Fall Vacation *(if applicable)*

Define: _____.

[] The day to day schedule shall apply unless other arrangements are set forth: : *(if applicable)*

beginning _____.

C. Other Holiday Schedule (if applicable)

Indicate if child(ren) will be with the parent in ODD or EVEN numbered years or indicate EVERY year. Holiday weekends begin at 6 p.m. on the Friday before the holiday and end at 6 p.m. on the holiday. Holiday weekends supersede normal weekend parenting times but holidays are superseded by spring/summer vacation as may be applicable in a given year.

	Mother	Father
Martin Luther King holiday weekend	_____	_____
President's Day	_____	_____
Easter weekend	<i>Rotates on the same schedule as 'spring vacation.' Same parent who has the spring vacation period shall have Easter weekend.</i>	
Memorial Day holiday weekend	_____	_____
Mother's Day weekend	EVERY	(NONE)
Father's Day weekend	(NONE)	EVERY
4 th of July holiday (from 6 p. m. on July 3 and ending at 6 p.m. on July 5th. <u>Summer vacation</u> <u>supersedes.</u>)	_____	_____
Labor Day holiday weekend	_____	_____
Halloween evening (5 p.m. until 9 p.m.)	_____	_____
Child's birthday	The parent shall celebrate the child's birthday on their respective weekend/weeknight parenting time nearest in time as they so elect.	
Father's/Mother's birthday(s)	The parent shall celebrate their respective birthday on their respective weekend/weeknight parenting time nearest in time as they so elect.	
Other holidays/religious days	_____	_____
	_____	_____
	_____	_____

Mother's Initials

Father's Initials

D. Other extended periods of time during school, etc. (refer to the school schedule, if applicable.)

E. Start and end dates for holiday visitation

For the purposes of this parenting plan, the holiday will start and end as follows:

Holidays that fall on Friday include the following Saturday and Sunday. Holidays that fall on Monday include the preceding Saturday and Sunday.

[] Other: _____

F. Coordination of Parenting Schedules *Check as applicable, if any:* The holiday parenting time/visitation schedule takes precedence over the regular parenting time/visitation schedule unless otherwise indicated below.

The spring/summer parenting time/visitation schedule takes precedence over the regular parenting time/visitation and holiday parenting time/visitation schedule unless otherwise indicated below.

For Plans Including Extended Summer Parenting Time

[] When the child(ren) is/are with a parent for an extended parenting time/visitation period (such as more than customary vacation time during the summer), the other parent shall be entitled to visit with the child(ren) during this extended period, which is defined as a period of more than _____ weeks (*normally a period equaling or exceeding 4 weeks*). In such event, then as follows:

[] Weekend visitation on the same rotating schedule as this parent would typically have during the school year when the child(ren) reside with that parent.

[] Other: _____

G. Transportation of Children & Personal Effects

For visitation, the exchange of the child(ren) shall take place as follows: unless prior arrangements have been made and agreed to by both parents at the residence of

[] Mother [] Father;

[] Other _____

The Mother Father shall be responsible for transportation of the child(ren) for all visitation periods.

OR

The Mother Father will be responsible for transportation of the child at the beginning of visitation.

The Mother Father will be responsible for transportation of the child at the end of visitation.

Transportation costs, if any, will be allocated as follows:

Parent responsible for transportation of the child(ren) incurs the costs.

Other provisions: _____

Each parent shall take such reasonable and necessary steps to insure that the child(ren) is/are ready to be promptly transported at the designated time.

If a parent receiving the child(ren) is going to be more than thirty (30) minutes late, then such parent shall promptly give notice to the other parent. In the event that no notice is given, or that a parent fails to appear within (30) thirty minutes of the scheduled time/amended scheduled time, then the parent with the children may assume that parenting time will not occur and that parent may proceed with other plans and activities for the child(ren).

Each parent shall return all the child's clothes and personal effects delivered to them by the other parent when the child(ren) is/are exchanged for visitation purposes.

Each parent may designate, from time to time hereafter, a responsible adult to assist them in transporting the children.

Each parent acknowledges that as each child gets older each child will become more involved in school activities and other extra-curricular activities. In the event a child has any scheduled school or extra-curricular activities on a week- night or week-end when the non-custodial parent has parenting time the non-custodial parent shall use his/her best efforts to handle each child's transportation to and from these activities. The primary physical custodial parent furthermore shall use his/her best reasonable efforts to avoid scheduling such events on the time periods scheduled for the non-custodial parent, unless he/she has attempted to reasonably confer with the non-custodial parent. The non-custodial parent's consent to such activities shall not be unreasonably withheld.

H. Contacting the child

When the child(ren) is/are are in the physical custody of one parent, the other parent has the right to contact the child(ren) as follows:

Reasonable telephone access. (multiple daily calls/texts are not intended)

Mother's Initials

Father's Initials

- Reasonable text message or email provided the child has proper access to receive such communication.
- By cell phone provided to the child(ren) at the sole expense of the parent requesting to utilize this provision, the Mother Father.
- Other: _____

The purpose of this section is to maintain reasonable contact with the child(ren) and shall not be used to harass, annoy, interfere or unreasonably pry into the personal life of the other parent. Each parent shall maintain a telephone/cell phone with its number furnished to the other parent.

- Other Limitations on contact, if any: _____

I. Supervision of Parenting Time (if applicable)

- Check here if Applicable
- Supervised parenting time shall apply during the day-to-day schedule as follows:
- Place: _____
- Person/Organization supervising: _____
- Responsibility for cost & immediate payment: Mother Father Joint.

J. Communication & Notices Concerning Parenting Times *Check applicable.*
General

Unless otherwise modified by a court order, each parent shall promptly notify the other parent of a change of address, phone number or cell phone number. A parent changing residence must give at least 30 days advance notice of prior to the anticipated change of residence and shall include the full address of the new residence, together with residence phone and cell phone, as well as current email address. (See also, O.C.G.A. 19-9-3(f).)

- Neither parent shall disparage the other parent in the presence of the minor child(ren).
- Neither parent shall place the child(ren) in the position of relaying messages or communications between the parents. The parents shall communicate between themselves and not through the child(ren). Both parents acknowledge and agree that having the child(ren) act as the messenger between them is unfairly and unnecessarily stressful to the child(ren).

[] Due to prior acts of family violence, the address of the child(ren) and victim of family violence shall be kept confidential. The protected parent shall promptly notify the other parent, through a third party, of any change in contact information necessary to conduct visitation. No further communication is required.

Notices Concerning Exercising Parenting Times

Unless otherwise modified herein, it is presumed the non-custodial parent will exercise all available parenting times set forth in this Order. However, if the non-custodial parent is **NOT** going to exercise a specific parenting time, or **NOT** going to exercise parenting time for a specified period of time, then the non-custodial parent shall give notice to the primary custodial parent by phone, text message or email of his/her intent to **NOT** exercise parenting times as follows:

[] ***(check this box if the non-custodial parent shall give notice of intent to exercise parenting time:*** Under this alternate provision, if the non-custodial parent **IS** going to exercise a specific parenting time, then the non-custodial parent shall give notice to the primary custodial parent by phone, text message or email of his/her intent to exercise parenting times as follows:

- Weekend & weekday – at least 72 hours advance notice;
- Other holiday(s) dates, Thanksgiving, Winter & Spring vacation(s) - at least 7 days advance notice;
- Summer vacation – at least 4 weeks’ notice;
- No parenting time for a specified period, *i.e., weeks, months, etc.,* - immediate notice.

[] Other: *(if applicable)* _____

3. Access to Records and Information Rights of the Parents

Absent agreement to limitations or court ordered limitations, pursuant to O.C.G.A. § 19-9-1 (b) (1) (D), both parents are entitled to access to all of the child(ren)’s records and information, including, but not limited to, education, health, extracurricular activities, and religious communications. Designation as a non-custodial parent does not affect a parent’s right to equal access to these records.

[] Limitations on access rights: (if any)

Other Information Sharing Provisions: (if any)

4. Modification of Plan or Disagreements

Parties may, by mutual agreement, vary the parenting time/visitation; however, such agreement shall not be a binding court order. Custody and child support may ONLY be lawfully modified by court order. Should the parents disagree about this parenting plan or wish to modify it, they must make a reasonable good faith effort to resolve the issue between them.

Mother’s Initials

Father’s Initials

5. If Additional Special Considerations &/Or Other Unique Provisions

Attach as Exhibit A, if there are any additional provisions concerning any special circumstances to be included in this order. (Such as, issues concerning health or chronic illness, education, medically restricted diet, etc.)

6. [] Parent's Consent (check, if applicable)

Please review the following and initial:

- 1. We recognize that a close and continuing parent-child relationship and continuity in the child's life is in the child's best interest.

Mother's Initials: _____ Father's Initials: _____

- 2. We recognize that our child's needs will change and grow as the child matures; we have made a good faith effort to take these changing needs into account so that the need for future modifications to the parenting plan are minimized.

Mother's Initials: _____ Father's Initials: _____

- 3. We recognize that the parent with physical custody will make the day-to-day decisions and emergency decisions while the child is residing with such parent.

Mother's Initials: _____ Father's Initials: _____

We knowingly and voluntarily agree on the terms of this Parenting Plan. Each of us affirms that the information we have provided in this Plan is true and correct.

Father's Signature

Mother's Signature

ORDER

The Court has reviewed the foregoing Parenting Plan, including any additional exhibits attached and incorporated by reference herein, and it is hereby made the order of this Court. Each party is ORDERED and directed to comply with the terms and provisions set forth herein.

HEREIN FAIL NOT.

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

JUDGE, GWINNETT SUPERIOR COURT

Mother's Initials

Father's Initials

Exhibit A- Special Considerations &/Or Other Unique Provisions

Mother's Initials

Father's Initials

Mother's Initials

Father's Initials

IN THE SUPERIOR COURT OF GWINNETT COUNTY
STATE OF GEORGIA

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

DOMESTIC RELATIONS FINANCIAL AFFIDAVIT

1. I swear and affirm under oath that the following financial information is true and complete:

My Name: _____ **My Age:** _____
Other Party's Name: _____ **Other Party's Age:** _____
Date of Marriage: _____ **Date of Separation:** _____

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

Name	Year of Birth	Resides with
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Names and ages of my other children (under the age of 18):

Name	Age	Resides with
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

2. SUMMARY OF MY INCOME AND NEEDS *(complete this section last)*

- (a) Gross monthly income (from item 3A) _____
- (b) Net monthly income (from item 3B) _____
- (c) Average monthly expenses (item 5A) _____
- (d) Monthly payments to creditors _____
- Total monthly expenses and payments to creditors (item 5C) _____

3. A. MY 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 _____

Child support 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 _____

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	Plaintiff's Separate Asset	Defendant's Separate Asset	Basis of the Claim
Cash	_____	_____	_____	_____
Investment accounts	_____	_____	_____	_____
Certificates (stocks/bonds)	_____	_____	_____	_____
Bank Accounts (list each account):				

Description	Value	Plaintiff's Separate Asset	Defendant's Separate Asset	Basis of the Claim
Retirement Pensions, 401K, IRA, or Profit Sharing				
Money owed you:				
Tax Refund owed you:				
Real Estate:				
Home:				
Other:	: Debt owed			
Automobiles/Vehicles:	Debt owed			
Vehicle 1:				
	Debt owed			
Vehicle 2:				
	Debt owed			
Life Insurance (net cash value):				
Furniture/furnishings:				
Jewelry:				
Collectibles:				
Other Assets:				
Total Assets:				

5. AVERAGE MONTHLY EXPENSES FOR MY HOUSEHOLD

HOUSEHOLD EXPENSES

Mortgage or Rent payments	_____	Gas	_____
Property taxes	_____	Repairs & Maintenance	_____
Homeowner's/Renter's Insurance	_____	Lawn care	_____
Electricity	_____	Pest control	_____
Water	_____	Cable TV/Internet	_____
Garbage & sewer	_____	Misc. household & Grocery items	_____
Telephone	_____	Meals Outside Home	_____
Residential Lines	_____	Other (<i>Specify</i>)	_____
Cellular Telephones	_____		
Total Household Expenses	\$ _____		

VEHICLE/AUTOMOTIVE

Gasoline & Oil	_____	Auto tags/Registration & License	_____
Repairs & Maintenance	_____	Insurance	_____
Public Transportation	_____		
Total Transportation Expenses		\$ _____	

OTHER VEHICLES (boats, trailers, RVs, etc.)

Gasoline & Oil	_____	Tags/Registration/License	_____
Repairs & Maintenance	_____	Insurance	_____
Total Other Vehicles Expenses	\$ _____		

CHILDREN'S EXPENSES

Child Care (total monthly cost)	_____	Allowances	_____
School tuition	_____	Clothing	_____
Tutoring	_____	Diapers	_____
Private lessons (<i>e.g., music, dance</i>)	_____	Medical/Dental/Prescriptions	_____
School Supplies/Expenses	_____	Grooming, Hygiene	_____

Lunch money	_____	Gifts from children to others	_____
Other Educational Expenses (list type & amount):	_____	Entertainment	_____
Activities (including extra-curricular, school, religious, cultural, etc.)	_____	Summer Camps	_____
Total Children's Expenses	\$ _____		

INSURANCE

Health	_____	Child(ren)'s portion-health	_____
Dental	_____	Child(ren)'s portion – dental	_____
Vision	_____	Child(ren)'s portion – vision	_____
Life Insurance	_____	Beneficiary – Life	_____
Disability		Other Insurance (specify)	_____
Total Insurance Expenses	\$ _____	Total Child(ren)'s Portion	\$ _____

OTHER EXPENSES

Dry cleaning & laundry	_____	Publications	_____
Clothing	_____	Dues, Clubs	_____
Medical/Dental/Prescription (out of pocket uncovered expenses)	_____	Religious & Charities	_____
Your Gifts (special holidays)	_____	Pet expenses	_____
Entertainment	_____	Alimony paid to former spouse	_____
Recreational Expenses (e.g. fitness)	_____	Child support paid for other children	_____
Vacations	_____	Date of initial CS order:	_____
Travel expenses for visitation	_____	Other (attach sheet to list)	_____
Total Other Expenses	\$ _____		

5(A) TOTAL MONTHLY EXPENSES (add household, transportation, children's, insurance, and other expenses) **\$** _____

B. PAYMENTS TO CREDITORS

(please check one)

To Whom:	Balance Due	Monthly Payment	Plaintiff	Defendant

5(B) TOTAL MONTHLY PAYMENTS TO CREDITORS: \$ _____

5(C) TOTAL MONTHLY EXPENSES AND PAYMENTS TO CREDITORS: \$ _____

This _____ day of _____, 20_____.

(signature)

Printed Name
 Plaintiff Defendant signs and affirms under oath that the information contained in this *Financial Affidavit* is complete true and correct.

NOTARY PUBLIC

IN THE SUPERIOR COURT OF GWINNETT COUNTY
STATE OF GEORGIA

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

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 father, OR mother, OR both parents, shall provide health insurance for the child(ren) for as long as child support continues. The parent who maintains the insurance shall provide the other parent with an insurance identification card or such other acceptable proof of insurance coverage and shall cooperate with the other parent in submitting claims under the policy. 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 (which shall include medical, dental, mental health, hospital, prescription and vision expense(s)) that are not covered by insurance. The party who incurs such out of pocket 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)

No Deviation. (If NO deviation, please skip the remaining items in item 7 and continue to item 8 to complete this form.)

Deviation. If DEVIATION, you MUST complete EITHER item below

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

The reasons for deviation are: _

The guidelines would be unjust or inappropriate considering the relative ability of each parent to provide support because:

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 because:

8. (check if applicable) Social Security Benefits under Title II are received under the account of the parent ordered to pay child support and are properly credited as set forth upon the Child Support Worksheet, referenced herein above, (CS Worksheet, line 12). Accordingly, if the benefits received are less than the amount owed, the obligor shall pay the balance, (CS Worksheet, line 13); if the amount is equal to or exceeds the amount of support owes, the obligor owes no further support under this order. The Title II benefits received for the child(ren) shall be retained by the custodial parent, or non-parent custodian, and shall be used for the support of the child(ren). O.C.G.A 19-6-15(C)(2)(G).
9. 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 semi-monthly bi-weekly OR other period _____: in the amount of \$_____ beginning on _____, and payable thereafter on a monthly weekly semi-monthly bi-weekly OR other period _____ basis; 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 ORDERED this _____ day of _____, 20_____.

 Judge, Gwinnett Superior Court
 by designation.

Consented to by:

 Plaintiff

 Defendant

 Date

 Date

NEXT STEPS...

Step #1: Download all current administrative court forms at:

<http://gwinnettflc.atlantalegalaid.org/administrative-court-forms/>

Step #2: Serve the other Party

Depending on your situation you will need to have the other party acknowledge your case, or you will have to arrange to have them served. Download your filing instructions by visiting:

<http://gwinnettflc.atlantalegalaid.org/filing-and-service-instructions/>