

# **ATTENTION**

PLEASE READ ALL FORMS AND INSTRUCTIONS VERY CAREFULLY. WE ARE NOT ATTORNEY'S AND WE CAN NOT AND WILL NOT PROVIDE YOU WITH ANY LEGAL ASSISTANCE OR ANSWER ANY QUESTIONS. WE WILL ONLY PROVIDE THE FORMS TO YOU AS A COURTESY AND IF YOU PROCEED IN PRO-SE FORM YOU ARE ACTING AS YOUR OWN ATTORNEY. IF YOU DO NOT UNDERSTAND OR NEED HELP YOU MUST CONSULT AN ATTORNEY. PLEASE UNDERSTAND THAT THIS MAY NOT BE ALL YOU NEED AND A JUDGE MAY REQUIRE OTHER DOCUMENTATION OR REQUIREMENTS BEFORE AN ORDER CAN BE GRANTED. YOU CAN GO TO [WWW.GEORGIALEGALAID.COM](http://WWW.GEORGIALEGALAID.COM) FOR FURTHER ASSISTANCE IF NEEDED.

FILING A CIVIL CASE IS \$210.00 CASH W/OUT SERVICE AND IF YOU HAVE TO SERVE THE OTHER PARTY IT IS \$260.00. IF YOU HAVE TO RUN A PUBLICATION IN THE NEWS PAPER THAT IS AN ADDITIONAL COST THAT MUST BE PAID TO THE ROME NEWS TRIBUNE AND YOU MUST DISCUSS THE PUBLICATION FEE WITH THEM.

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BARBARA PENSON  
CLERK OF COURT

## General Civil and Domestic Relations Case Filing Instructions

1. Provide the class of court and county in which the case is being filed.
2. Provide the plaintiff's and defendant's names.
3. Provide the plaintiff's attorney's name and State Bar number. If you are representing yourself, provide your own name and check the self-represented box.
4. Provide the primary type of case by checking only *one* appropriate box. Cases can be either general civil or domestic relations and only *one* type of primary case within those categories. Check the case type that most accurately describes the primary case. If applicable, check one sub-type under the primary case type. If you are making more than one type of claim, check the case type that involves the largest amount of damages or the one you consider most important. See below for definitions of each case type.
5. Provide an answer to the four questions by checking the appropriate boxes and/or filling in the appropriate lines.

### Case Type Definitions

#### General Civil Cases

**Automobile Tort:** Any tort case involving personal injury, property damage, or wrongful death resulting from alleged negligent operation of a motor vehicle.

**Civil Appeal:** Any case disputing the finding of a limited jurisdiction trial court, department, or administrative agency.

**Contempt/Modification/Other Post-Judgment:** Any case alleging failure to comply with a previously existing court order, seeking to change the terms of a previously existing court order, or any other post-judgment activity in a general civil case.

**Contract:** Any case involving a dispute over an agreement between two or more parties.

**Garnishment:** Any case where, after a monetary judgment, a third party who has money or other property belonging to the defendant is required to turn over such money or property to the court.

**General Tort:** Any tort case that is not defined or is not attributable to one of the other types of torts listed.

**Habeas Corpus:** Any case designed to review the legality of the detention or imprisonment of an individual, but not the question of his or her guilt or innocence.

**Injunction/Mandamus/Other Writ:** Cases involving a written court order directing a specific person to perform or refrain from performing a specific act.

**Landlord/Tenant:** Any case involving a landlord/tenant dispute if the landlord removed a tenant and his or her property from the premises or placed a lien on the tenant's property to repay a debt.

**Medical Malpractice Tort:** Any tort case that alleges misconduct or negligence by a person in the medical profession acting in a professional capacity, such as doctors, nurses, physician's assistants, dentists, etc.

**Product Liability Tort:** Any tort case that alleges an injury to a person was caused by the manufacturer or seller of an article due to a defect in, or the condition of, the article sold or an alleged breach of duty to provide suitable instructions to prevent injury.

**Real Property:** Any case involving disputes over the ownership, use, boundaries, or value of land.

**Restraining Petition:** Any petition for a restraining order that does not result from a domestic altercation or is not between parties in a domestic relationship.

**Other General Civil:** Any case that does not fit into one of the other defined case categories in which a plaintiff is requesting the enforcement or protection of a right or the redress or prevention of a wrong.

#### Domestic Relations Cases

**Adoption:** Cases involving a request for the establishment of a new and permanent parent-child relationship between persons not biologically parent and child.

**Contempt:** Any case alleging failure to comply with a previously existing court order. If the contempt action deals with the non-payment of child support, medical support, or alimony, also check the corresponding sub-type box.

**Dissolution/Divorce/Separate Maintenance/Alimony:** Any case involving the dissolution of a marriage or the establishment of alimony or separate maintenance.

**Family Violence Petition:** Any case in which a protective order from a family member or domestic partner is requested.

**Modification:** Any case seeking to change the terms of a previously existing court order. If the modification deals with custody, parenting time, or visitation, also check the corresponding sub-type box.

**Paternity/Legitimation:** Cases involving establishment of the identity and/or responsibilities of the father of a minor child or a determination of biological offspring.

**Support – IV-D:** Cases filed by the Georgia Department of Human Services to request maintenance of a minor child by a person who is required under Title IV-D of the Social Security Act of 1973 (42 USC §§ 651-669b) to provide such maintenance.

**Support – Private (non-IV-D):** Cases filed to request maintenance of a parent/guardian or a minor child by a person who is required by a law other than Title IV-D of the Social Security Act of 1973 (42 USC §§ 651-669b) to provide such maintenance.

**Other Domestic Relations:** Domestic relations cases that do not adequately fit into any of the other case types, including name changes.

**Please note:** This form is for statistical purposes only. It shall have no legal effect in a case. The information collected on this form is used solely for court administration purposes. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or court rules. Information on this form will not be entered into evidence.

## **General Civil and Domestic Relations Case Disposition Form Instructions**

1. Provide the class of court and county in which the case is being disposed.
2. Provide the plaintiff's and defendant's names.
3. Provide the reporting party (the individual completing the form).
4. Provide the attorneys' names and State Bar numbers. If parties represented themselves, provide their names and check the self-represented box.
5. Provide the manner of disposition by checking the appropriate box. See below for definitions.
6. Provide an answer to the three questions by checking the appropriate boxes.

### **Manner of Disposition Definitions**

**Jury Trial:** Cases in which a jury is impaneled to determine the issues of fact in the case. A jury trial should be counted when the jury has been sworn, regardless of whether a verdict is reached.

**Bench/Non-Jury Trial:** Cases in which a judge or judicial officer is assigned to determine both the issues of fact and law in the case. A bench/non-jury trial should be counted when the first evidence is introduced, regardless of whether a judgment is reached.

**Non-Trial Disposition:** Cases in which the disposition does not involve either a jury trial or a bench trial.

**Alternative Dispute Resolution:** If a case was disposed of via a non-trial disposition and the method of disposition was alternative dispute resolution. If this box is checked, then the Non-Trial Disposition box must also be checked. Only check if the whole case was resolved via alternative dispute resolution.

## General Civil and Domestic Relations Case Disposition Information Form

☐ Superior or ☐ State Court of \_\_\_\_\_ County

### For Clerk Use Only

Date Disposed \_\_\_\_\_  
MM-DD-YYYY

Case Number \_\_\_\_\_

Case Style \_\_\_\_\_

### Plaintiff(s)

Last	First	Middle I.	Suffix	Prefix
____	____	____	____	____
____	____	____	____	____
____	____	____	____	____
____	____	____	____	____

### Defendant(s)

Last	First	Middle I.	Suffix	Prefix
____	____	____	____	____
____	____	____	____	____
____	____	____	____	____
____	____	____	____	____

Reporting Party \_\_\_\_\_

Plaintiff's Attorney \_\_\_\_\_ State Bar Number \_\_\_\_\_ Self-Represented ☐

Defendant's Attorney \_\_\_\_\_ State Bar Number \_\_\_\_\_ Self-Represented ☐

### Manner of Disposition

#### Check Only One

- ☐ Jury Trial
- ☐ Bench/Non-Jury Trial
- ☐ Non-Trial Disposition, such as:
  - ☐ 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.

☐ Check if the case was referred/ordered to a court-annexed alternative dispute resolution process.

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

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

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

**PETITION FOR LEGITIMATION, CUSTODY, AND/OR VISITATION**

Plaintiff files this Petition and shows the following:

1.

**Plaintiff's Residence**

- ☐ Plaintiff is a resident of \_\_\_\_\_ County, Georgia.

2.

**Information about child(ren)**

- ☐ Plaintiff is the father of the following child(ren):

Name	Date of Birth	Place of Birth
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

3.

**Jurisdiction and Venue (Choose only one: a, b, c, or d)**

- ☐ a) The mother of said child(ren) is \_\_\_\_\_, who now resides in \_\_\_\_\_ County, Georgia, and is subject to the jurisdiction of this Court.
- ☐ b) The child(ren)'s \_\_\_\_\_ (relationship), whose name is \_\_\_\_\_ has ☐ custody/

☐ guardianship of the child(ren). ☐ He/ ☐ She lives in \_\_\_\_\_  
County, Georgia.

☐ c) The mother or other party having custody or guardianship,  
\_\_\_\_\_ (state name  
and relationship to the child) resides outside the state of Georgia and cannot, after due  
diligence, be found within the state.

☐ d) A petition for adoption for the child(ren) is pending in  
\_\_\_\_\_ County, Georgia. Therefore, venue is proper in that  
county.

4.

**Service of Process (Choose a, b or c)**

- ☐ a) The mother or other legal custodian or guardian has signed an  
Acknowledgment of Service form.
- ☐ b) The mother or other legal custodian or guardian has signed the  
Defendant's Acknowledgment of Service, Affidavit of Waiver of Venue and Personal  
Jurisdiction.
- ☐ c) The mother or other legal custodian or guardian may be personally served  
at his/her work/residence address of \_\_\_\_\_

☐ d) While the mother or other legal custodian or guardian resides in Georgia,  
his or whereabouts of the mother are unknown and s/he must be served by publication as  
provided by O.C.G.A. § 9-11-4(f)(1)(A).

☐ e) The mother or other legal custodian or guardian reside outside the state of  
Georgia. However, his or her whereabouts are unknown and s/he must be served by  
publication as provided by O.C.G.A. § 9-11-4(f)(1)(A).

5.

**Mother's Consent (Choose a , b, c, d, or e)**

☐ a) The mother of said child(ren) has consented in writing to the legitimation  
of said child (ren) and to the ☐ legal and/or ☐ physical custody being awarded to the  
Plaintiff. Her consent is attached hereto as Exhibit "\_\_\_\_\_."

☐ b) The mother of said child(ren) has consented in writing to the legitimation  
of said child(ren) and to visitation by the Plaintiff

☐ c) The mother of said child(ren) is deceased, having died on \_\_\_\_\_.  
A copy of her death certificate is attached hereto as Exhibit "\_\_\_\_\_."

☐ d) There is no other legal parent of the child(ren), and the child(ren) have no  
legal guardian.

☐ e) The mother of said child(ren) is opposing the legitimation of said  
child(ren).

6.

**Plaintiff's desire to legitimate child(ren) and change surname(s)**

☐ This Petition is brought pursuant to O.C.G.A. § 19-7-22 to legitimate said child(ren) and to change his/her/their surname(s) from \_\_\_\_\_ to \_\_\_\_\_.

7.

**Current Custody Arrangement (Choose a or b)**

☐ a) The Defendant, \_\_\_\_\_, presently has legal custody of the minor child(ren). They have lived with him/her since \_\_\_\_\_ (date).

☐ b) The ☐ legal custodian/ ☐ legal guardian of the minor child(ren) is \_\_\_\_\_ (name), who is related to the children as follows:

\_\_\_\_\_  
The legal custodian, \_\_\_\_\_, has the following type of legal custody or guardianship:

\_\_\_\_\_  
(temporary guardianship, permanent guardianship, permanent custody, etc.). S/he has had this legal custody or guardianship since \_\_\_\_\_ (date).

8.

**Future Custody Arrangement**

☐ It is in the best interest(s) of the child(ren) for the custody to be as follows:

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

9.

**Visitation (Choose a or b)**

☐ a) It is in the best interest(s) of the child(ren) that the following visitation schedule be established:

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

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☐ b) It is in the best interest(s) of the child(ren) that the visitation schedule in the forms packet on page thirty (30) be adopted.

WHEREFORE, Plaintiff demands the following:

- (a) That the name of said child be changed from \_\_\_\_\_ to \_\_\_\_\_ ;
- (b) That said child be legitimized by (his) (her) new name as the legitimate (son) (daughter) of petitioner;
- (c) That the petitioner be granted visitation rights;
- (d) That the petitioner be awarded custody as follows: \_\_\_\_\_

(c) If necessary, rule nisi issue directing the said \_\_\_\_\_ to appear before the Court to show cause why the relief demanded by this petition should not be granted.

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Plaintiff *pro se*

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

Telephone: \_\_\_\_\_



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

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

VERIFICATION

Personally appeared before the undersigned officer, duly authorized to administer oaths in the state of Georgia, \_\_\_\_\_, who after being duly sworn, deposes and states that s/he is the Plaintiff in the above-styled action and verifies that the facts contained in the within and foregoing Petition for Legitimization are true and correct to the best of her information, knowledge, and belief.

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

\_\_\_\_\_  
Plaintiff *pro se*

Sworn 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. )

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing **Petition for Legitimation** 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*

Address \_\_\_\_\_

Telephone Number \_\_\_\_\_

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

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

**PLAINTIFF'S AFFIDAVIT REQUIRED BY O.C.G.A. § 19-7-43(d)**

State of Georgia  
County of \_\_\_\_\_

Personally before the undersigned officer authorized to administer oaths appeared \_\_\_\_\_, who, being duly sworn, does state on oath the following:

1.

That affiant is the plaintiff named in the above- styled action to legitimate the following child(ren) who were born to the affiant and to \_\_\_\_\_:

Name	Date of Birth	Place of Birth
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

2.

The present address of the Plaintiff is \_\_\_\_\_.

3.

The present address of the Defendant is \_\_\_\_\_.

4.

I attest that the defendant and I had sexual intercourse at or about the time of the child(ren)'s conception, which would have been approximately the following dates:

\_\_\_\_\_ ; \_\_\_\_\_ ; \_\_\_\_\_ ; \_\_\_\_\_.

5.

I attest that I was the sole sexual partner of the Defendant at the time her child(ren), \_\_\_\_\_, was/were conceived.

6.

I attest that based upon my knowledge and belief, as well as the defendant's statements to me that I was the defendant's sole sexual partner.

7.

I attest that the Defendant has admitted to me that her child(ren), \_\_\_\_\_  
is /are my biological child(ren), and the product of our sexual intercourse during our relationship.

8.

I attest that our child(ren), \_\_\_\_\_  
currently reside(s) at \_\_\_\_\_ (address).

9.

I attest that the minor child(ren), \_\_\_\_\_  
is/are my biological child(ren).

\_\_\_\_\_  
Affiant/Plaintiff/Father

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

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

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\_\_\_\_.

\_\_\_\_\_  
Affiant

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

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

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

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

**ACKNOWLEDGMENT OF SERVICE AND CONSENT TO LEGITIMATION**

1.

**Acknowledgement of Service**

\_\_\_\_\_, the natural mother of \_\_\_\_\_, hereby acknowledges that she has received a copy of the foregoing Petition to Legitimate the said \_\_\_\_\_ and to change his/her name from \_\_\_\_\_ to \_\_\_\_\_, and she hereby waives any and all further service or notice of any nature in this proceeding.

2.

**Consent to legitimation and change of name**

The mother hereby consents to the judicial legitimization of \_\_\_\_\_  
\_\_\_\_\_ and the change of his/her/their surname(s) from \_\_\_\_\_  
to \_\_\_\_\_

**Non-interference with affection toward either parent**

3.

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

4.

**Custody (Check a, b, or c)**

☐ a) The ☐ Father/ ☐ Mother shall have the temporary and permanent legal and physical custody of the minor child (ren).

☐ b) The Father and Mother shall share joint legal custody of the minor child(ren). The parties shall share decision-making concerning the children; however, the ☐ Father/ ☐ Mother shall have the right to make the final decision in the event the parties cannot agree.

Primary physical custody of the minor child (ren) shall be with the ☐ Father/  
☐Mother as follows:

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Secondary physical custody shall be with the ☐ Father/ ☐ Mother as follows:

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☐ c) The Father and Mother shall share joint legal custody and joint physical custody of the minor child (ren).

Physical custody shall be shared by the parties as follows:

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The parties shall share decision making concerning the child (ren); however, in the event the parties cannot decide, the ☐ Father/ ☐ Mother shall have the final decision concerning

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5.

**Visitation (Choose a or b)**

☐ a) The ☐ Father/ ☐ Mother shall have the right of visitation with the minor children as follows:

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[OR]

- ☐ b) The visitation schedule is attached hereto and incorporated herein.

### **Child Support**

**Please go to <http://www.georgiacourts.org/csc/> and complete the Child Support Worksheet. Your papers will NOT be accepted for filing unless you complete and attach the Child Support Worksheet.**

6.

☐ The ☐ Father/☐ Mother shall pay to the ☐ Father/☐ Mother, 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.

6.

### **Manner of Payment of Child Support (Check a or b)**

- ☐ a) All payments of child support shall be paid directly to the ☐ Father/☐ Mother at the following address:

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No Income Deduction Order will be entered into at this time. However, when ever, in violation of the terms of this Agreement, there shall have been a failure to make the support payments due hereunder so that the amount unpaid is equal to or greater than the amount payable for one (1) month, the payments required to be made may be collected by



the process of continuing garnishment for support. In the event ☐ Father/ ☐ Mother fails to pay any child support obligation in this Agreement on a timely fashion on any three (3) occasions in any twelve (12) month period, the parties agree that an income deduction order shall then be entered.

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

7.

### **Health Insurance**

☐ The ☐ Father/ ☐ Mother shall maintain a policy of medical, dental, and hospitalization insurance for the benefit of the minor child(ren) for so long as the child support obligation set forth herein exists. Costs not covered under the insurance policy shall be divided between Father and Mother as follows:

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

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

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

\_\_\_\_\_  
MOTHER

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

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
FATHER

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

My commission expires: \_\_\_\_\_

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

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

AFFIDAVIT SUPPORTING ACKNOWLEDGEMENT OF SERVICE AND  
CONSENT TO LEGITIMATION

STATE OF GEORGIA  
COUNTY OF \_\_\_\_\_

Personally appeared before the undersigned officer authorized to administer oaths,  
\_\_\_\_\_, who states under oath that she is the natural  
mother of \_\_\_\_\_, a child born out of  
wedlock on \_\_\_\_\_, 20\_\_\_\_, in \_\_\_\_\_ County,  
State of \_\_\_\_\_. The natural father of said child is \_\_\_\_\_,  
who is the petitioner named in the Petition to Legitimate the said \_\_\_\_\_.

The above Acknowledgment of Service and Consent to Legitimation was voluntarily  
and freely made by me on \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Affiant Mother

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

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

In all cases involving permanent custody or custody modification (except when a parent seeks emergency relief for family violence), each parent shall prepare and submit a parenting plan, or the parties may jointly submit a parenting plan, as directed by the judge.

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

• • • • •

Case Number \_\_\_\_\_

## PARENTING PLAN

( ) This plan has been prepared by the judge.

This plan ☐ is a new plan.  
☐ modifies an existing Parenting Plan dated \_\_\_\_\_.  
☐ modifies an existing Order dated \_\_\_\_\_.

Child's Name	Year of Birth

## I. 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 shall be:

	y/o/b	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Joint
	y/o/b	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Joint
	y/o/b	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Joint
	y/o/b	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Joint
	y/o/b	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Joint

WHERE JOINT PHYSICAL CUSTODY IS CHOSEN BY THE PARENTS OR ORDERED BY THE COURT, A DETAILED PLAN OF THE LIVING ARRANGEMENTS OF THE CHILD(REN) SHALL BE ATTACHED 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 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	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Joint
Non-emergency health care	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Joint
Religious upbringing	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Joint
Extracurricular activities	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Joint
_____	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Joint
_____	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Joint

### E. Disagreements

Where parents have elected joint decision making in Section I.D above, please explain how any disagreements in decision-making will be resolved.

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## II. Parenting Time/Visitation Schedules

### A. Parenting Time/Visitation

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

- ☐ The weekend of the first and third Friday of each month.
- ☐ The weekend of the first, third, and fifth Friday of each month.
- ☐ The weekend of the second and fourth Friday of each month.
- ☐ Every other weekend starting on \_\_\_\_\_.
- ☐ Each \_\_\_\_\_ starting at \_\_\_\_\_ a.m./p.m. and ending \_\_\_\_\_ a.m./p.m.
- ☐ Other: \_\_\_\_\_
- ☐ and weekday parenting time/visitation on (choose an item):
- ☐ None
- ☐ Every Wednesday evening
- ☐ Every other Wednesday during the week prior to a non-visitation weekend.
- ☐ Every \_\_\_\_\_ and \_\_\_\_\_ evening.
- ☐ Other: \_\_\_\_\_

For purposes of this parenting plan, a weekend will start at \_\_\_\_\_ a.m./p.m. on [Thursday/Friday/Saturday/Other: \_\_\_\_\_] and end at \_\_\_\_\_ a.m./p.m. on [Sunday/Monday/Other: \_\_\_\_\_].

Weekday visitation will begin at \_\_\_\_\_ a.m./p.m. and will end [\_\_\_\_ p.m. / when the child(ren) return(s) to school or day care the next morning/Other: \_\_\_\_\_].

This parenting schedule begins:

☐ \_\_\_\_\_ (day and time) OR ☐ date of the Court's Order

## B. Major Holidays and Vacation Periods

### Thanksgiving

The day to day schedule shall apply unless other arrangements are set forth:

\_\_\_\_\_

\_\_\_\_\_

beginning \_\_\_\_\_.

### Winter Vacation

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. 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:

### Summer Vacation

Define summer vacation period: \_\_\_\_\_

The day to day schedule shall apply unless other arrangements are set forth:

\_\_\_\_\_

beginning \_\_\_\_\_.

### Spring Vacation (if applicable)

Define: \_\_\_\_\_

The day to day schedule shall apply unless other arrangements are set forth:

\_\_\_\_\_

beginning \_\_\_\_\_.

### Fall Vacation (if applicable)

Define: \_\_\_\_\_

The day to day schedule shall apply unless other arrangements are set forth:

\_\_\_\_\_

beginning \_\_\_\_\_.

## C. Other Holiday Schedule (if applicable)

Martin Luther King Day	_____	_____
Presidents' Day	_____	_____
Mother's Day	_____	_____
Memorial Day	_____	_____
Father's Day	_____	_____
July Fourth	_____	_____
Labor Day	_____	_____
Halloween	_____	_____
Child(ren)'s Birthday(s)	_____	_____

Mother's Birthday	_____	_____
Father's Birthday	_____	_____
Religious Holidays:	_____	_____
_____		
_____		
_____		
Other:	_____	_____
_____	_____	_____
	_____	_____
Other:	_____	_____
_____	_____	_____
Other:	_____	_____
_____		

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**E. Start and end dates for holiday visitation**

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

- ☐ Holidays that fall on Friday will include the following Saturday and Sunday
- ☐ Holidays that fall on Monday will include the preceding Saturday and Sunday
- ☐ Other: \_\_\_\_\_

**F. Coordination of Parenting Schedules**

Check if applicable:

- ☐ The holiday parenting time/visitation schedule takes precedence over the regular parenting time/visitation schedule.
- ☐ When the child(ren) is/are with a parent for an extended parenting time/visitation period (such as summer), the other parent shall be entitled to visit with the child(ren) during the extended period, as follows:

\_\_\_\_\_

\_\_\_\_\_

**G. Transportation Arrangements**

For visitation, the place of meeting for the exchange of the child(ren) shall be:

\_\_\_\_\_

\_\_\_\_\_

The \_\_\_\_\_ will be responsible for transportation of the child at the beginning of visitation.

The \_\_\_\_\_ will be responsible for transportation of the child at the conclusion of visitation.

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

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

Other provisions: \_\_\_\_\_

#### **H. Contacting the Child**

When the child or children are in the physical custody of one parent, the other parent will have the right to contact the child or children as follows:

☐ Telephone

☐ Other: \_\_\_\_\_

☐ Limitations on contact:

#### **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:

☐ Mother      ☐ Father      ☐ Both equally

#### **J. Communication Provisions**

Please check:

☐ 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 notice of the change and provide the full address of the new residence.

☐ 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.



### III. Access to Records and Information

#### Rights of the Parents

Absent agreement to limitations or court ordered limitations, pursuant to OCGA § 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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Other Information Sharing Provisions: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### IV. 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 shall only be modified by court order.

Should the parents disagree about this parenting plan or wish to modify it, they must make a good faith effort to resolve the issue between them.

#### V. Special Considerations

Please attach an addendum detailing any special circumstances of which the Court should be aware (e.g., health issues, educational issues, etc.)  
\_\_\_\_\_  
\_\_\_\_\_

#### VI. Parents' Consent

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.

\_\_\_\_\_  
Mother's Signature

\_\_\_\_\_  
Father's Signature

### ORDER

The Court has reviewed the foregoing Parenting Plan, and it is hereby made the order of this Court.

This Order entered on \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
JUDGE

\_\_\_\_\_ COUNTY SUPERIOR COURT

Exhibit " \_\_\_\_\_ "

**VISITATION SCHEDULE**

The non-custodial parent is \_\_\_\_\_.

The custodial parent is \_\_\_\_\_.

The non-custodial parent shall be entitled to exercise reasonable visitation with the minor child with the following minimum provisions:

- A. On every 1<sup>st</sup>, 3<sup>rd</sup>, and 5<sup>th</sup> Friday at 6:00 p.m. until the following Sunday at 6:00 p.m.;
- B. During even numbered years (2008, 2010, etc.), the non-custodial parent shall have the right of visitation on the holidays delineated below:
  - 1. Martin Luther King's Birthday
  - 2. Memorial Day
  - 3. Labor Day
  - 4. Thanksgiving
  - 5. Second week of Christmas Vacation from 2:00 p.m. on December 25 until New Year's Eve.
- C. During odd numbered years (2009, 2011, etc.) the non-custodial parent shall have the right of visitation on the holidays delineated below:
  - 1. New Year's Day
  - 2. Easter or Spring Break
  - 3. July 4<sup>th</sup>
  - 4. Halloween
  - 5. First Week of Christmas vacation, including Christmas Day until 2:00 p.m. on December 25.
- D. During even numbered years (2008, 2010, etc.), the custodial parent shall have the minor child on the holidays delineated below:
  - 1. New Year's Day
  - 2. Easter or Spring Break
  - 3. July 4<sup>th</sup>
  - 4. Halloween
  - 5. First week of Christmas vacation, including Christmas Day until 2:00 p.m. on December 25.
- E. During odd numbered years (2009, 2011, etc.), the custodial parent shall have the right of visitation on the holidays delineated below:
  - 1. Martin Luther King's Birthday
  - 2. Memorial Day
  - 3. Labor Day
  - 4. Thanksgiving
  - 5. Second week of Christmas vacation from 2:00 p.m. on December 25 until New Year's Eve.
- F. The Mother shall have the minor child on Mother's Day.
- G. The Father shall have the minor child on Father's Day.
- H. The non-custodial parent shall have the right to visit with the minor child for two consecutive weeks in the summer between June 15 and August 15. During this period, the custodial parent shall have the minor child on the first (1<sup>st</sup>) weekend from 6:00 p.m. Friday until 6:00 p.m. Sunday. The non-custodial parent shall give the custodial parent a minimum of thirty (30) days written notice of the intent to exercise this visitation.
- I. Holiday visitation shall take precedence over week-end visitation.

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

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

**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

## Plaintiff,

Defendant

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

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

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

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.

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:

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

☐ Contacting the Defendant's former landlord

Name, address, & telephone number of former landlord:

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

☐ Checking telephone information and directories

List which directories you checked:

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

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

☐ Other: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff *pro se*

Sworn to and subscribed before me

this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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



\_\_\_\_\_,  
Plaintiff,  
  
\_\_\_\_\_,  
Defendant

 $\gamma$ 

Civil Action File No.

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 Court



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..)

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

owed you: \$ \_\_\_\_\_

Real Estate:

home: \$ \_\_\_\_\_

debt owed: \$ \_\_\_\_\_

other: \$ \_\_\_\_\_

debt owed: \$ \_\_\_\_\_

Automobiles/Vehicles:

Vehicle 1: \$ \_\_\_\_\_

debt owed: \$ \_\_\_\_\_

Vehicle 2: \$ \_\_\_\_\_

debt owed: \$ \_\_\_\_\_

Life Insurance  
(net cash value): \$ \_\_\_\_\_

Furniture/furnishings: \$ \_\_\_\_\_

Jewelry: \$ \_\_\_\_\_

Collectibles: \$ \_\_\_\_\_

Other Assets: \$ \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_

**Total Assets:** \$ \_\_\_\_\_

#### 5. A. AVERAGE MONTHLY EXPENSES

##### HOUSEHOLD

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

Property taxes \$ \_\_\_\_\_ Misc. household and  
grocery items \$ \_\_\_\_\_

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

Electricity \$ \_\_\_\_\_ Other \$ \_\_\_\_\_

Water	\$ _____	<b>AUTOMOBILE</b>	
		Gasoline and oil	\$ _____
Garbage and Sewer	\$ _____	Repairs	\$ _____
Telephone:		Auto tags and license	\$ _____
<u>residential line:</u>	\$ _____	Insurance	\$ _____
<u>cellular telephone:</u>	\$ _____		
Gas	\$ _____	<b>OTHER VEHICLES</b>	
		<b>(boats, trailers, RVs, etc.)</b>	
		Gasoline and oil	\$ _____
Repairs and maintenance:	\$ _____	Repairs	\$ _____
Lawn Care	\$ _____	Tags and license	\$ _____
Pest Control	\$ _____	Insurance	\$ _____

#### CHILDREN'S EXPENSES

#### AFFIANT'S OTHER EXPENSES

Child care <u>(total monthly cost)</u>	\$ _____	Dry cleaning/laundry	\$ _____
School tuition	\$ _____	Clothing	\$ _____
<u>Tutoring</u>	\$ _____	Medical, dental, prescription <u>(out of pocket/uncovered expenses)</u>	\$ _____
<u>Private lessons (e.g., music, dance)</u>	\$ _____	Affiant's gifts (special holidays)	\$ _____
School supplies/expenses	\$ _____	Entertainment	\$ _____
Lunch Money	\$ _____	<u>Recreational Expenses (e.g., fitness)</u>	\$ _____
<u>Other Educational Expenses (list)</u>		Vacations	\$ _____
_____	\$ _____	<u>Travel Expenses for Visitation</u>	\$ _____
_____	\$ _____	Publications	\$ _____
Allowance	\$ _____	Dues, clubs	\$ _____
Clothing	\$ _____	Religious and charities	\$ _____
Diapers	\$ _____	<u>Pet expenses</u>	\$ _____
Medical, dental, prescription <u>(out of pocket/uncovered expenses)</u>	\$ _____	Alimony paid to former spouse	\$ _____
		Child support paid <u>for other</u>	



TOTAL MONTHLY PAYMENTS TO CREDITORS: \$ \_\_\_\_\_

C. TOTAL MONTHLY EXPENSES: \$ \_\_\_\_\_

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

\_\_\_\_\_  
Affiant

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

IN THE SUPERIOR COURT FOR THE COUNTY OF FLOYD  
STATE OF GEORGIA

Plaintiff	:	CIVIL ACTION
	:	
v.	:	NO. _____
	:	
Defendant	:	

**CHILD SUPPORT ADDENDUM**

The parties have agreed to the terms of this Order and this information has been furnished by both parties to meet the requirements of OCGA § 19-6-15. The parties agree on the terms of the Order and affirm the accuracy of the information provided, as shown by their signatures at the end of this **addendum**.

This **addendum** includes findings of fact and conclusions of law and fact made by the Court, in compliance with OCGA § 19-6-15.

**Application of Child Support Guidelines.** The statutory requirements of OCGA § 19-6-15 have been applied in reaching the amount of **child support** provided under the Final Order in this action. The specifics are as follows:

1. Gross Income-The Father's gross monthly income (before taxes) is \$ \_\_\_\_\_; the Mother's gross monthly income is \$ \_\_\_\_\_ (before taxes).
2. Number of Children-The number of **children** for whom **support** is being provided under this order is \_\_\_\_\_.
3. Attachments-The *Child Support Worksheet* and *Schedule E* are attached and made a part of this **Addendum**, along with any other applicable schedules.
4. Child Support Amount-The \_\_\_\_\_ shall pay to the \_\_\_\_\_, for the **support** of the minor **children**, the sum of \$ \_\_\_\_\_ per month, beginning on \_\_\_\_\_, 20 \_\_\_\_.

**5. Duration of Child Support**

---

*[You must check & complete only one of the following paragraphs.]*

(a) **Beyond Age 18 for High School** - The **child support** shall continue monthly thereafter until each **child** reaches the age of eighteen, dies, marries, or otherwise becomes emancipated; provided that if a **child** becomes eighteen years old while enrolled in and attending secondary



school on a full-time basis, then the **child support** shall continue for the **child through the month when the child** has graduated from secondary school or **through the month when the child** reaches twenty years of age, whichever occurs first.

(b) **Stops at Age 18** - The **child support** shall continue monthly thereafter until each **child** reaches the age of eighteen, dies, marries, or otherwise becomes emancipated.

(c) **Until Further Order** - This is not a final order, so the **child support** shall continue until further order of this Court.

(d) **Until Specific Date** - The **child support** shall continue monthly thereafter until \_\_\_\_\_.

#### 6. Deviation from Presumptive Amount

*[You must check & complete only one of the following paragraphs.]*

(a) **No Deviation** - It has been determined that none of the Deviations allowed under OCGA § 19-6-15 applies in this case, as shown by the attached *Schedule E*. The amount of support in Paragraph 4 above is the Presumptive Amount of Child Support shown on the attached *Child Support Worksheet*.

(b) **Deviation** - It has been determined that one or more of the Deviations allowed under OCGA § 19-6-15 applies in this case, as shown by the attached *Schedule E*. The Presumptive Amount of Child Support that would have been required under OCGA § 19-6-15 if the deviations had not been applied is \$ \_\_\_\_\_ per month, as shown on the attached *Child Support Worksheet*. The attached *Schedule E* 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.

7. **Split Parenting**-A split parenting situation occurs when the parents have two or more children together, where at least one of the children spends more than 50% of the time with one parent, and at least one of the children spends more than 50% of the time with the other parent.

*[You must check & complete only one of the following paragraphs.]*

(a) **Not Split Parenting Case** - This case does not involve Split Parenting.

(b) **Split Parenting Case** - This is a Split Parenting case.

Separate *Child Support Worksheets* have been filed for the **children** living with the Mother and for the **children** living with the Father, and a *Child Support Order Addendum* has been entered in this action for each parent. At this time, the Mother is obligated to pay the sum of \$ \_\_\_\_\_ per month to the Father, and the Father is obligated to pay the sum of \$ \_\_\_\_\_ per month to the Mother.

*[If you checked (b) above, you must check & complete only one of the following sub-paragraphs.]*

(1) **Net Payment** - For so long as these amounts remain in effect, the \_\_\_\_\_ shall pay only the difference between the two amounts (which is \$ \_\_\_\_\_) to the \_\_\_\_\_, who shall not be required to pay the child support obligation to the other parent.

(2) **Zero Payment** - The parents' child support obligations are equal. For so long as the amounts remain equal, neither parent shall pay any child support payment to the other parent.

(3) **Full Payment From Each** - Each parent shall pay the full amount of his or her child support obligation to the other.

#### **8. Health, Dental & Vision Insurance for Children**

*[You must check & complete all parts of only one of the following paragraphs, (a) or (b).]*

(a) **Insurance Available** - The following insurance for the children involved in this action is available at a reasonable cost to the \_\_\_\_\_ through that parent's employer or the PeachCare program:

Health (medical, mental health and hospitalization) Dental Vision.

So long as it remains available to that parent, the \_\_\_\_\_ shall maintain the types of insurance checked above for the benefit of the minor children, until each child reaches the age of eighteen, dies, marries, or otherwise becomes emancipated; except that if a child becomes eighteen years old while enrolled in and attending secondary school on a full-time basis, then the insurance shall be continued for the child **until the month when the child has graduated from secondary school or through the month the child reaches twenty years of age, whichever occurs first.**

(1) 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.

(2) All money received by one of the parties for claims processed under the insurance policy shall be paid within five (5) days after the party receives the money, to the other party (if that other party paid the applicable health care service provider) or to the applicable health care provider (if the provider has not been paid by one of the parties).

(b) **Insurance Not Available** - Insurance (other than Medicaid) is not available at this time to either party at a reasonable cost. If health insurance for the children later becomes available to the parent who is required to pay child support for these children, then that parent must obtain the following types of insurance, unless it is then being provided by the other parent:

Health (medical, mental health and hospitalization) Dental Vision.

When insurance has been obtained by either party, Paragraphs 8 (a)(1) and (2) shall apply.

9. **Uninsured Health Care Expenses** - The \_\_\_\_\_ shall pay \_\_\_\_ % and the \_\_\_\_\_ shall pay \_\_\_\_ 5 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 a health care expense for one of the children shall provide verification of the amount to the other party. That other party shall reimburse the incurring party (or pay the health care provider directly) for the appropriate percentage of the expense, within fifteen (15) days after receiving the verification of a particular health care expense.

10. **Parenting Time Amounts** - The approximate number of days of parenting time per year according to the visitation order is \_\_\_\_ days for the Father and \_\_\_\_ days for the Mother.

#### 11. **Social Security Benefits**

*[You must check & complete only one of the following paragraphs.]*

(a) **Not Received** - The **children** do not receive Title II Social Security benefits under the account of the parent ordered to pay **child support**.

(b) **Received** - The **children** receive Title II Social Security benefits under the account of the parent ordered to pay **child support**. The benefits received by the **children** shall be counted as **child support** payments, and shall be applied against the final **child support** order to be paid by that parent.

(1) If the amount of benefits received is less than the amount of **support** ordered, the obligor shall pay the amount exceeding the Social Security benefit.

(2) If the amount of benefits received is equal to or more than the amount of **support** ordered, the obligor's responsibility is met and no further **support** shall be paid.

(3) Any Title II benefits received for the **children's** benefit shall be retained by the custodial parent or nonparent custodian for the **children's** benefit, and it shall not be used as a reason for decreasing the final **child support** order or reducing arrearages.

#### 12. **Modification**

*[You must check & complete only one of the following paragraphs.]*

(a) **Not Modification Action** - This is an initial determination of **child support**, not a modification action.

---

(b) **Support Not Modified** - This action is a modification action, but the order does not modify the amount of **child support** that was previously ordered for these **children**. The date of the initial **support** order concerning this **child support** case was:

(c) **Support Amount Modified** - The Order modifies the amount of **child support** that was previously ordered for these **children**. The basis for the modification is:

- (1) Substantial change in the income and financial status of the Father;
- (2) Substantial change in the income and financial status of the Mother;
- (3) Substantial change in the needs of the Children;
- (4) The noncustodial parent failed to exercise visitation provided under the prior order;
- (5) The noncustodial parent has exercised more visitation than was provided in the prior order.

The date of the initial support Order concerning this child support case was: \_\_\_\_.

**13. Continuing Garnishment for Child Support** - Whenever, in violation of the terms of the order, there shall have been a failure to make the support payments, so that the amount unpaid is equal to or greater than the amount payable for one month, the payments required to be made may also be collected by the process of continuing garnishment for support.

#### **14. Income Deduction Order**

*[You must check & complete only one of the following paragraphs: (a), (b) or (c).]*

(a) An *Income Deduction Order* shall be entered by the Court, under OCGA § 19-6-32, for payment of the child support and alimony (if any) provided. The *Income Deduction Order* shall take effect:

*[To finish (a), you must check either (1) or (2). Do not check both.]*

- (1) immediately upon entry by the Court.
- (2) upon accrual of a delinquency equal to one month's support. The *Income Deduction Order* may be enforced by serving a "Notice of Delinquency," as provided in OCGA § 19-6-32 (f).
- (b) The parties agree that an *Income Deduction Order* is not immediately necessary.
- (c) The Court finds that there is good cause not to require income deduction, having determined that income deduction will not serve the **children's** best interests and that there has been sufficient proof of timely payment of any previously ordered **support**.

**Parties' Consent** (if applicable) - We knowingly and voluntarily agree on the terms of this Order. Each of us affirms that the information we have provided in this **Addendum** is true and correct.

\_\_\_\_\_  
Father's Signature

\_\_\_\_\_  
Mother's Signature

**ORDER**

The Court has reviewed the foregoing *Child Support Addendum*, and it is hereby made the Order of this Court.

This Order entered on \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
JUDGE, SUPERIOR COURT OF FLOYD COUNTY

\_\_\_\_\_

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

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

**ORDER**

The above matter having been heard, it is therefore the judgment of this Court that \_\_\_\_\_ is hereby declared to be legitimate and to be the legitimate child of \_\_\_\_\_, and capable of inheriting from the father in the same manner as if born in lawful wedlock, and from henceforth the name by which said child shall be known shall be \_\_\_\_\_. Vital Records is directed to change the child(ren)'s surnames on their birth certificate(s) to the last name of their father and to add the father's name on the birth certificate(s).

**FURTHER ORDERED:**

☐ The Court incorporates into this order the agreement of the parties regarding custody, visitation, and child support.

☐ The Court awards custody of the minor children as follows:

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

☐ The Court orders visitation as follows:

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

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

1. Children for whom support is being determined:

Child	Date of Birth

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

(b) For purposes of Calculating Child Support the Court Orders that the Non-custodial Parent shall be \_\_\_\_\_.

(c) The Court finds that the amount of the Non-custodial Parent's parenting time as set forth in the Order of Visitation is \_\_\_\_\_ days.

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

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

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

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

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

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

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

\_\_\_\_\_ %

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

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

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

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

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

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

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

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

- |  |   |
|--|---|
| _____ A. High Income                         | _____ G. Alimony                            |
| _____ B. Low Income                          | _____ H. Mortgage                           |
| _____ C. Other Health-Related Insurance      | _____ I. Permanent Plan or Foster Care Plan |
| _____ D. Life Insurance                      | _____ J. Extraordinary Expenses             |
| _____ E. Child and Dependent Care Tax Credit | _____ K. Parenting Time                     |
| _____ F. Travel Expenses                     | _____ L. Non-Specific Deviations (Other)    |



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

(b) The Court finds as set on the "Child Support Worksheet" the Final Amount of Child Support for the Non-custodial Parent is \$ \_\_\_\_\_

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

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

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

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

SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
JUDGE, Superior Courts  
\_\_\_\_\_  
Judicial Circuit

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

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

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

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

- ☐ Other:

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

SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

JUDGE, Superior Courts  
Judicial Circuit

Date

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

Re: Income Deduction Order

DATE: \_\_\_\_\_

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

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

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

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

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

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

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

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

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

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

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

RULE NISI

The above Petition to Legitimate \_\_\_\_\_ having  
been read and considered, let the same be filed and let \_\_\_\_\_  
the natural mother of said child appear before this Court on the \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock, \_\_\_\_m., to show cause,  
if any she have, why the relief demanded in said Petition should not be granted.

Let the said \_\_\_\_\_ be served with a copy of said  
Petition and this Order as provided by law.

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

\_\_\_\_\_  
JUDGE, Superior Courts  
\_\_\_\_\_  
Judicial Circuit

Presented by:

\_\_\_\_\_  
Petitioner *pro se*