

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 FOR FURTHER ASSISTANCE IF NEEDED

FILING A CIVIL CASE IS \$207.00 CASH W/OUT SERVICE AND IF YOU HAVE TO SERVE THE OTHER PARTY IT IS \$257.00 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

BARBARA PENSON
CLERK OF COURT

Superior Court - Pro Se Divorce

Pro Se, (prō-say) – appearing for oneself instead of retaining a lawyer

Divorce can be a very complicated process. You have full responsibility for complying with all procedural and substantive requirements of the law. **If all documents are not completed, signed, notarized, and filed as required by law, the divorce pleadings are not in compliance with the law, a judge cannot grant your request for divorce and may dismiss your case.** You are responsible for scheduling with the Court any hearings related to your divorce proceeding. The Court cannot act as your attorney, nor can the Court help you prove or defend your case. This action involves important legal rights, and the Rome Judicial Circuit **urges you to hire an attorney.** An attorney will be familiar not only with the law, but will also be familiar with the procedures of this Court. **Due to the changing nature of the law and the factual differences in each person's situation, these forms may or may not be appropriate in your particular case. The information on the website may also become outdated. USE THE FORMS AT YOUR OWN RISK.** The information provided below may or may not be useful in understanding the different aspects of appearing in Court, including the paperwork and/or forms necessary. **IF YOU AGREE TO ALL TERMS ABOVE and still wish to proceed without an attorney, please click the appropriate link below and follow the instructions.**

[Divorce WITHOUT Minor Children](#)

[Divorce WITH Minor Children](#)

STATE LAW, OCGA § 15-19-51 PROHIBITS COURT PERSONNEL (INCLUDING STAFF, ATTORNEYS OR LAW CLERKS, CALENDAR CLERKS, CLERK'S OFFICE STAFF, AND SHERIFF'S DEPARTMENT STAFF) FROM GIVING LEGAL ADVICE OR ANSWERING LEGAL QUESTIONS.

YOU MAY NEED AN ATTORNEY IF

The case is contested and your spouse has a lawyer.

You cannot locate your spouse to serve him or her with your papers.

You or your spouse has a house pension or large amount of property or income

You might lose custody of your children

You think you will have difficulty getting documents from your spouse about retirement funds income etc

Even if it is a friendly divorce you should talk to a lawyer before you sign any settlement paper or file anything in court

Contact

Barbara Penson

3 Government Plaza

Rome GA 30161

P 706 291 5190

pensonb@floydcountyga.org

Citizen Survey

Do you find our new website easier to use than our previous site?

Yes

No

Domestic Relations Case Filing Information Form

Superior Court County _____ Date Filed _____
MM DD YYYY

Docket # _____
 Plaintiff(s) _____ Defendant(s) _____

Last F st M d d l l S t t P t x M d

L t F st M d d l l S t t P t M d

La t F st M d d l e l S t t P t x M d e

L t F st M d d l e l S t t P r t x M d n

Plaintiff/Petitioner's Attorney Pro Se

L t F st M d d l e l S t t x

Bar # _____

Check Case Type (one or more)

Divorce (includes annulment)

Separate Maintenance

Adoption

Paternity (includes legitimation)

Interstate Support Enforcement Action

Domestication of Foreign Custody Decree

Family Violence Act Petition

MODIFICATION

Modification Custody and/or Visitation

Modification Child Support and Alimony

Modification Child Support

Modification Alimony

CONTEMPT

Contempt Custody and/or Visitation

Contempt Child Support and Alimony

Contempt Child Support

Contempt Alimony

Other Domestic Contempt

Other Domestic Relations Specify _____

FAMILY VIOLENCE

Additional Information Ex Parte Relief

Did the initial pleading include a request for relief

1 From alleged family violence Yes No

2 Was ex parte relief requested? Yes No

3 Was ex parte relief granted Yes No

**IN THE SUPERIOR COURT OF FLOYD COUNTY
STATE OF GEORGIA
FAMILY DIVISION**

Petitioner _____
and
Respondent _____

Civil Action File No _____

PETITION FOR DIVORCE

I _____ representing myself state that

1 **Subject Matter Jurisdiction** I am the Petitioner in this action and *(Check (a) or (b))*

- a) I have been a resident of the State of Georgia for more than six (6) months prior to filing this action
- b) I am not a resident of the State of Georgia but my spouse has been a resident of the State of Georgia and a resident of _____ County for at least six (6) months prior to my filing of this action

2 **Venue** My spouse's name is _____ He/She is the Respondent in this action *(Check (a) (b) (c) or (d))*

- a) The Respondent is a resident of _____ County and is subject to the jurisdiction of this Court *(Check (1) (2) (3) or (4))*
 - 1) The Respondent has consented to the Jurisdiction of this Court and has acknowledged service of process and jurisdiction of this Court *(Check the box below if you and your spouse have a separation agreement that you want to have made a part of your divorce decree)*
 - Attached to this Complaint for Divorce is a Separation Agreement which my spouse and I desire to be incorporated into our final judgment and decree for divorce
 - 2) The Respondent may be served at Respondent's residence address of _____
 - 3) The Respondent may be served at Respondent's work address of _____
 - The Respondent works in _____ County and shall be served by second original
 - 4) The Respondent's whereabouts are unknown to me as shown by my Affidavit of Due Diligence attached hereto and incorporated by reference marked Exhibit

A The Respondent shall be served by publication as is provided by law in the case of those who cannot be found within the State pursuant to O C G A 9 11 4(e)(1) The clerk shall mail a copy of the Notice Order for Service by Publication Petition for Divorce to the last known address of Respondent which is _____ within 15 days of filing of the Order of Service by Publication

- b) The Respondent is a resident of _____ County but Respondent and I lived together in _____ County at the time we separated Respondent has only moved from _____ County within the past six months from the date of this filing and I am a resident of _____ County The Respondent shall be served by second original at his/her home/work address of _____
- c) The Respondent is a resident of _____ County and I live in _____ County The Respondent has consented to the jurisdiction of this Court and has acknowledged service of process and venue of this Court *(Check the box below if you and your spouse have a separation agreement that you want to have made a part of your divorce decree)*
- Attached to this Complaint for Divorce is a Separation Agreement which my spouse and I desire to be incorporated into our final judgment and decree for divorce
- d) The Respondent is not a resident of the State of Georgia but I am resident of _____ County and *(Check (1) (2) (3) or (4))*
- 1) The Respondent was formerly a resident of the State of Georgia and presently is a resident of the State of _____ Respondent may be served by second original pursuant to the Long Arm Statute O C G A 9 10 91(5) Respondent may be served at Respondent s residence address of _____
- 2) The Respondent has never resided in the State of Georgia and currently resides in the State of _____ as shown by my Affidavit of Nonresident attached hereto and incorporated by reference marked Exhibit B The Respondent shall be served by publication as is provided by law in the case of those who cannot be found within the State pursuant to O C G A 9 11 4(e)(1) The clerk shall mail a copy of the Notice Order for Service by Publication and Petition for Divorce to the address of the Respondent which is _____ within 15 days of the filing of the Order for Service by Publication
- 3) The Respondent s whereabouts are unknown to me as shown by my Affidavit of Due Diligence attached hereto and incorporated by reference marked Exhibit A The Respondent shall be served by publication as is provided by law in the case of those who cannot be found within the State pursuant to O C G A 9 11 4(e)(1) The clerk shall mail a copy of the Notice Order for Service by Publication and Petition for Divorce to the last known address of Respondent which _____ within 15 days of the filing of the Order for Service by Publication
- 4) The Respondent has consented to the Jurisdiction of this Court and has acknowledged service of process and jurisdiction of this Court *(Check the box below if you and your spouse have a separation agreement that you want to have made a part of your divorce decree)*

Attached to this Complaint for Divorce is a Separation Agreement which my spouse and I desire to be incorporated into our final judgment and decree for divorce

e) I am a resident of _____ County and the Respondent's whereabouts are unknown to me as shown by my Affidavit of Due Diligence attached hereto and incorporated by reference marked Exhibit A. The Respondent shall be served by publication as is provided by law in the case of those who cannot be found within the State pursuant to O.C.G.A. § 9-11-4(e)(1). The clerk shall mail a copy of the Notice Order for Service by Publication and Petition for Divorce to the last known address of Respondent which is _____ within 15 days of the filing of the Order of Service by Publication

3 **Date of Marriage** (Check (a) or (b))

a) The Respondent and I were lawfully married on _____

b) The Respondent and I are common law married having entered into a common law marriage before January 1, 1997 as of _____

4 **Date of Separation** Respondent and I separated on _____ and have remained in a bona fide state of separation since that date

5 **Children** (Check (a) or (b))

a) There are no minor children of this marriage

b) Respondent and I are the parents of _____ minor children

<u>Name of child</u>	<u>Sex (m/f)</u>	<u>Date of Birth</u>	<u>Resides with mother/father/other</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

6 **Custody/Visitation** (If there are minor children check (a) (b) or (c))

a) I am entitled to the temporary and permanent sole legal and physical custody of these children

b) I am entitled to joint legal and physical custody of these children

c) I am entitled to reasonable visitation with these children

7 **Children's Place of Residence** (If there are minor children, please complete)

The minor children of the parties currently reside at _____ with _____ During the past five years the minor children have lived at the addresses below with the following persons

<u>Address</u>	<u>Resided with</u>
_____	_____
_____	_____
_____	_____

8 **Other Custody Actions** (If there are minor children check (a) or (b))

a) I have not participated as a party or witness or in any capacity in any other litigation concerning the custody of the minor children in this or any other state I do not know of any custody proceeding concerning the minor children which may be pending in a Court in this or any other state

b) The minor children have been involved in the following custody actions

<u>County/State/Court</u>	<u>Type of custody action</u>	<u>Date Filed</u>	<u>Status</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

9 **Other Persons with Claims to Children** (If there are minor children check (a) or (b))

a) I know of no other person not a party to this proceeding who has physical custody of the children or claims to have custody or visitation rights with respect to the minor children

b) The following persons who are not a party to this proceeding have custody or visitation rights with the minor children

<u>Name</u>	<u>Claim</u>
_____	_____
_____	_____

10 **Child Support/Alimony** (Complete if there are minor children and/or you are seeking alimony)

a) I am employed by _____ earning _____ per month The Respondent is an able bodied person capable of earning sufficient money to support (the minor children/ the minor children and me/ me) Respondent is employed by _____ earning _____ per month and I am in need of financial assistance from the Respondent for the support of (Check one)
 The minor children The minor children and me Me

b) The issues of child support and alimony cannot be decided in this action because Georgia does not have personal jurisdiction over my spouse

11 **Health Insurance for Minor Children** (Complete if there are minor children (Check (a) (b) or (c))

a) Respondent should be ordered to maintain a policy for dental medical and hospitalization insurance for the minor children Respondent should also be responsible for any other expenses for the children s medical or dental treatment, if such expenses are not covered by insurance policies

b) Respondent and I should share the costs of dental medical and hospitalization insurance for the minor children

c) The issue of health insurance for the children cannot be decided in this action because Georgia does not have jurisdiction over my spouse

12 **Life Insurance for the Minor Children** (Check if there are minor children and you want your spouse to have life insurance for the minor children Check (a) or (b))

- a) Respondent should be ordered to maintain life insurance for the benefit of the minor children
- b) The issue of obtaining life insurance cannot be decided in this action because Georgia does not have personal jurisdiction over my spouse

13 **Alimony** I am/am not seeking alimony because _____

The issue of alimony cannot be decided in this action because Georgia does not have personal jurisdiction over my spouse

14 **Marital Property** (Check (a) (b) or (c))

- a) Respondent and I have no marital property
- b) Respondent and I have already divided our marital property to our mutual satisfaction
- c) Respondent and I have the following marital property that I have checked and I am seeking an equitable division of this property

House located at _____

Pension (mine _____ spouse s _____)

Motor vehicles (model/year _____)

Furniture (list or attach list _____)

Bank accounts and investments (list or attach list _____)

Other (list or attach list _____)

d) The issue of the division of marital property cannot be decided in this action because Georgia does not have personal jurisdiction over my spouse

15 **Joint Debts** Check (a) or (b)

- a) Respondent and I have no outstanding joint debts
- b) Respondent and I have the following outstanding joint debts and he/she should be (solely liable for payment of these debts/ jointly liable for payment of these debts/responsible for payment of the debts that I checked)

Creditor

Balance

c) The issue of the division of joint debts cannot be decided in this action because Georgia does not have personal jurisdiction over my spouse

16 **Restore Former Name** My former name is _____ and I request that it be restored to me

- 17 **Grounds for Divorce** My grounds for an absolute divorce are *(Check the grounds that you can prove at trial)*
- a) The marriage is **irretrievably broken** My Spouse and I can no longer live together There is no hope of that the two of us will get back together
 - b) **Cruel treatment** My spouse committed the following acts of cruel treatment to me such that I am afraid that he/she will hurt me in the future

 - c) **Adultery** My spouse has had sexual intercourse outside of the marriage
 - d) **Desertion** On or about _____ my spouse without just cause or reason intentionally abandoned and deserted me for a period of at least one year as follows _____

 - e) **Intermarriage** My spouse and I are related as follows

 - f) **Mental incapacity** I did not have the mental capacity to enter into a marriage when we married because _____
 - g) **Impotency** My spouse was impotent at the time of our marriage and I was not aware of this
 - h) **Force menace duress fraud in obtaining the marriage** I entered into this marriage against my will as a result of _____
 - i) **Pregnancy** of the wife at the time of the marriage unknown to the husband I did not know that my spouse was pregnant by another man when we got married
 - j) **Conviction** of party for an offense involving **moral turpitude** On or about _____ my spouse was sentenced to serve at least two years in the penitentiary for the following _____

 - k) **Habitual intoxication** My spouse is repeatedly intoxicated
 - l) **Incurable mental illness** My spouse has been adjudged mentally ill by a court of competent jurisdiction My spouse has been confined in an institution for the mentally ill for a period of at least two years immediately preceding this action My spouse s mental illness has been determined to be incurable by competent examiners and I have attached a certified statement that it is this person s opinion that my spouse is hopelessly and incurably mentally ill
 - m) **Habitual Drug Addiction** My spouse is addicted to drugs as follows _____

FOR THESE REASONS I request *(check all that apply)*

- a) That a Rule Nisi be issued directing the Respondent to show cause why my prayers should not be granted

- b) Temporary and Permanent Custody of the minor children
- c) Joint custody of the minor children
- d) Visitation with the minor children
- e) Child Support
- f) Medical Dental and Hospitalization insurance for the children
- g) Life Insurance for the benefit of the minor children
- h) Alimony
- i) An award of the marital property listed in paragraph (14c)
- j) Respondent to pay the joint debts listed in paragraph (15b)
- k) That all issues of child support health insurance for the minor children life insurance for the minor children alimony division of property and debts be held in abeyance until such time as this court has personal jurisdiction over my spouse
- l) A change back to my former name
- m) A restraining order to restrain and enjoin the Respondent from harassing molesting or threatening me in any way whatsoever
- n) A total divorce a vinculo matrimonii from Respondent
- o) Respondent be served with a copy of my Complaint for Divorce
- p) That the Separation Agreement attached to this petition be made the Order of this Court and
- q) Any other appropriate relief

This the _____ day of _____ 2_____
 [Date] [Month] [Year]

Respectfully submitted

 (Sign your name here) PRO SE
 Petitioner s name (print or type) _____
 Petitioner s address _____
 Petitioner s telephone number _____

IN THE SUPERIOR COURT OF FLOYD COUNTY
STATE OF GEORGIA

Petitioner _____

and

Civil Action File
No _____

Respondent _____

VERIFICATION

I _____ personally appeared before the undersigned Notary Public and say under oath that I am the Petitioner in the above styled action and that the facts stated in the Petition for Divorce are true and correct

This the _____ day of _____ 20_____

(Sign your name here in front of the Notary)

Name (print or type) _____

Address _____

Telephone number _____

Sworn to and subscribed before me this
_____ day of _____ 20_____

NOTARY PUBLIC
My Commission Expires
(Notary Seal)

IN THE SUPERIOR COURT OF FLOYD COUNTY
STATE OF GEORGIA

Petitioner _____

and

Civil Action File
No _____

Respondent _____

ACKNOWLEDGMENT OF SERVICE

The undersigned Respondent hereby acknowledges service of the above Petition for _____ and states that (s)he has received a copy of said Petition and Respondent hereby waives any and all further notice service and issuance of process

This the _____ day of _____ 20_____

Respondent's Signature (Sign in front of the Notary)

Respondent's Name (Print) _____

Address _____

Telephone number _____

Sworn and subscribed before me this
_____ day of _____ 20_____

NOTARY PUBLIC
My commission expires

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

Plaintiff

vs

Civil Action File 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 Floyd County Georgia

_____)	
Petitioner)	
)	
vs)	Civil Action No _____
)	
_____)	
Respondent)	

DOMESTIC RELATIONS FINANCIAL AFFIDAVIT

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	Resides with
_____	_____	_____
_____	_____	_____
_____	_____	_____

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)	_____

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 \$ _____

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	Basis of the Claim
Cash	\$ _____	_____	_____	_____
Stocks/bonds	\$ _____	_____	_____	_____
CD's/Money Market Accounts	\$ _____	_____	_____	_____
Bank Accounts (list each account)				
_____	\$ _____	_____	_____	_____
_____	\$ _____	_____	_____	_____
_____	\$ _____	_____	_____	_____
Retirement/Pensions 401K/IRA or Profit Sharing	\$ _____	_____	_____	_____
Money owed you	\$ _____	_____	_____	_____
Tax Refund 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	\$ _____	AUTOMOBILE	
Garbage and Sewer	\$ _____	Gasoline and oil	\$ _____
Telephone		Repairs	\$ _____
residential line	\$ _____	Auto tags and license	\$ _____
cellular telephone	\$ _____	Insurance	\$ _____
Gas	\$ _____	OTHER VEHICLES	
		(boats trailers RVs etc)	
Repairs and maintenance	\$ _____	Gasoline and oil	\$ _____
Lawn Care	\$ _____	Repairs	\$ _____
Pest Control	\$ _____	Tags and license	\$ _____
		Insurance	\$ _____

CHILDREN S EXPENSES

Child care (total monthly cost) \$ _____

School tuition \$ _____

Tutoring \$ _____

Private lessons (e g music dance) \$ _____

School supplies/expenses \$ _____

Lunch Money \$ _____

Other Educational Expenses (list)

_____ \$ _____

_____ \$ _____

Allowance \$ _____

Clothing \$ _____

Diapers \$ _____

Medical dental prescription
(out of pocket/uncovered expenses) \$ _____

Grooming hygiene \$ _____

Gifts from children to others \$ _____

Entertainment \$ _____

Activities (including extra curricular
school religious cultural etc) \$ _____

Summer Camps \$ _____

OTHER INSURANCE

Health \$ _____

Child(ren) s portion \$ _____

Dental \$ _____

Child(ren) s portion \$ _____

Vision \$ _____

Child(ren) s portion \$ _____

Life \$ _____

Relationship of Beneficiary _____

Disability \$ _____

Other(specify) \$ _____

AFFIANT S OTHER EXPENSES

Dry cleaning/laundry \$ _____

Clothing \$ _____

Medical dental prescription
(out of pocket/uncovered expenses) \$ _____

Affiant s gifts (special holidays) \$ _____

Entertainment \$ _____

Recreational Expenses (e g
fitness) \$ _____

Vacations \$ _____

Travel Expenses for Visitation \$ _____

Publications \$ _____

Dues clubs \$ _____

Religious and charities \$ _____

Pet expenses \$ _____

Alimony paid to former spouse \$ _____

Child support paid for other
children \$ _____

Date of initial order _____

Other (attach sheet) \$ _____

TOTAL ABOVE EXPENSES \$ _____

B PAYMENTS TO CREDITORS

(please check one)

To Whom	Balance Due	Monthly Payment	Joint	Plaintiff	Defendant

TOTAL MONTHLY PAYMENTS TO CREDITORS \$ _____

C TOTAL MONTHLY EXPENSES \$ _____

This _____ day of _____ 20_____

Notary Public

Affiant

SEPARATION AND PROPERTY SETTLEMENT AGREEMENT

This agreement is made between _____ (the Wife) and _____ (the Husband) to settle all financial matters by mutual agreement and having reached this agreement on this date do execute this instrument as follows

1 Children

No Children were born unto the parties and wife is not now pregnant

2 Property

2.1 The Marital Home

The parties jointly own real estate located at [address] _____ [state] _____, [zip code] _____ (the House) The Husband Wife will convey to the Husband/Wife all of his right title and interest in the House by quitclaim deed The Wife/Husband will have all rights to the escrow account The Husband/Wife will be solely responsible for and will pay the mortgage debt on the House as it matures The Husband/Wife will hold the Husband/Wife harmless from the mortgage debt on the House

The parties do not jointly own a marital home

2.2 Automobiles

Each party will retain the vehicle or vehicles already owned or leased in his or her sole name and shall hold the other party harmless from any liability arising from indebtedness or lease obligations related to such vehicle(s)

Husband shall entitled to the _____ automobile with VIN _____ and make all payments thereon and hold wife harmless for the payment of same Wife shall convey all interest in said vehicle to Husband

Wife shall entitled to the _____ automobile with VIN _____ and make all payments thereon and hold husband harmless for the payment of same Wife shall convey all interest in said vehicle to Husband

2.3 Bank Accounts

The joint bank account at _____ is hereby awarded to the Wife. The Wife will either close this account or have the Husband's name removed from it.

The joint bank account at _____ is hereby awarded to the Husband. The Husband will either close this account or have the Wife's name removed from it.

The parties have already agreed on a division of their remaining bank accounts. Each party will retain sole ownership in the accounts that bear his or her name.

2.4 Other Personal Property

The Husband and the Wife have agreed to an equitable division of their personal property.

All other items of personal or real property currently in the Husband's name or belonging solely to him (except as specifically described in this Agreement) including without limitation cash, bank accounts, clothing, clothing accessories, jewelry, securities, retirement plans, business interests, partnerships, insurance policies, and books, music, art, tools, equipment, and intellectual property shall be his sole property, and the Wife hereby renounces any interest that she may have therein.

All other items of personal or real property currently in the Wife's name or belonging solely to her (except as specifically described in this Agreement) including without limitation cash, bank accounts, clothing, clothing accessories, jewelry, securities, retirement plans, business interests, partnerships, insurance policies, and books, music, art, tools, equipment, and intellectual property shall be her sole property, and the Husband hereby renounces any interest that he may have therein.

3 Marital Obligations

Each party will be responsible for the debts incurred in that party's sole name and will hold the other party harmless from any liability arising from said indebtedness.

Husband shall be responsible for the following joint debts of the parties and hold wife harmless for the payment of same:

(a)

(b)

(c)

(d)

Wife shall be responsible for the following joint debts and hold the Husband harmless for the payment of same

(a)

(b)

(c)

(d)

Other

4 Alimony

Both the Husband and the Wife waive any and all right to receive periodic alimony past present and future

5 Miscellaneous

5.1 Taxes

Each party will each prepare and file separate federal and state tax returns for year _____ at each party's sole expense. Each party will pay his or her own deficiency if any and each party will retain his or her own refund(s) if any.

The parties agree that the Wife provided the funds to pay the property taxes and mortgage interest on the House during _____ and that she is entitled to deduct these expenses on her _____ income tax return.

The parties agree that the Husband provided the funds to pay the property taxes and mortgage interest on the House during _____ and that he is entitled to deduct these expenses on his _____ income tax return.

Any tax refund which has not been received for the year _____ shall be the property of Husband Wife divided equally between Husband and wife.

5 2 *Execution*

Each party shall execute any and all documents necessary to effectuate the terms of this agreement including, but not limited to deeds bills of sale certificates of title tax forms real estate contracts and the like If this Agreement requires the Husband or the Wife to accomplish an act but doesn't state a time limit for completion the act will be completed within 60 days after the divorce is effective

5 3 *Wife's Name*

The Wife's maiden name _____ will be restored to her
 No restoration of maiden name is sought

5 4 *Costs*

Each party shall pay his or her respective attorney if any _____ shall pay court costs

5 5 *Law*

This agreement shall be controlled by the laws of the State of Georgia

THE PARTIES HAVE EXECUTED THIS AGREEMENT to be effective on the date the divorce is effective

Witness _____
_____ Wife

Witness _____
_____ Husband

Sworn and subscribed before me this _____ day of _____ 20 _____

NOTARY PUBLIC
My commission expires _____

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

1 Civil Action Number	2 Date Decree Granted (mo day year)	3 County Decree Granted
4 Wife's Name (first middle last)	5 Maiden (Birth) Last Name	6 Date of Birth (mo day year)
7 County of Residence	8 Number of This Marriage (1 st etc)	
9 Husband's Name (first middle last generation)	10 Date of Birth (mo day year)	11 County of Residence
12 Number of This Marriage (1 st etc)	13 Date of This Marriage (mo day year)	
14 Specific Grounds For Divorce (19-23 OCGA)	15 Number of Children Less Than 18 Affected by This Decree	

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

31-10-22 Record of divorce dissolutions and annulments

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

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

IN THE SUPERIOR COURT OF **Floyd** COUNTY
STATE OF GEORGIA

Plaintiff
vs

Defendant

Civil Action

Case Number _____

**FINAL JUDGMENT AND DECREE OF DIVORCE
INCORPORATING SETTLEMENT AGREEMENT**

Upon consideration of this case upon evidence submitted as provided by law it is the judgment of the Court that a total divorce be granted between the parties to this case. It is hereby ordered that the marriage contract entered into between the parties is hereby set aside from this date and fully dissolved. Plaintiff and Defendant in the future shall be held and considered as separate and distinct persons altogether unconnected by any nuptial union or civil contract whatsoever and both shall have the right to remarry.

THE COURT FURTHER ORDERS THAT

1 SETTLEMENT AGREEMENT

The *Settlement Agreement* made between the parties is hereby approved and made a part of this *Final Judgment* as if fully set forth here. Both parties are ordered to strictly obey all of its terms.

2 RESTORATION OF NAME

The Wife's former name of _____ shall be restored.

3 CHILD SUPPORT GUIDELINES

[You must check one of the following boxes.]

- The case does not determine or modify child support so OCGA §19-6-15 does not apply.
- The *Child Support Addendum*, *Child Support Worksheet* and appropriate schedules have been attached and are hereby made a part of this order.

This decree entered on _____ 20____

JUDGE
Floyd County Superior Court