

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

	§	
Plaintiff,	§	
v.	§	
	§	CIVIL ACTION
Defendant.	§	FILE NO. _____

COMPLAINT FOR DIVORCE

Comes now Plaintiff, _____, [name] in the above-styled action and files this Complaint for Divorce against Defendant and respectfully shows the Court the following:

1.

Residence Requirement

(Check only ONE either A or B)

- (A) Plaintiff lives in _____ County, Georgia, and has lived in the State of Georgia for at least six (6) months prior to the filing of this action.
- (B) Plaintiff does not live in the State of Georgia, but Defendant has been a resident of the State of Georgia for at least six (6) month prior to my filing this action. Defendant lives in _____ County, Georgia.

2.

Venue and Service

(Check only ONE either A, B, C, or D)

- (A) The Defendant lives in Georgia, in _____ County, and this action is being filed in the Defendant's home county. Defendant has signed the *Acknowledgment of Service of Process*.

- (B) The Defendant lives **outside** the State of Georgia in _____ County, _____ [state]. **This action is being filed in Plaintiff's home county**, which is _____ County, Georgia. The Defendant has signed *Defendant's Acknowledgment of Service/Affidavit of Waiver of Venue and Personal Jurisdiction* consenting to let this Court handle the divorce.
- (C) The Defendant lives in the State of Georgia in _____ County. **This action is being filed in Plaintiff's home county**, which is _____ County, Georgia. We can do this because (1) the Defendant moved from this county within six (6) months of this filing; and (2) this is the county where we lived as husband and wife just before we separated. The Defendant has signed the *Defendant's Acknowledgment of Service/Affidavit of Waiver of Venue and Personal Jurisdiction* consenting to let this Court handle the divorce.
- (D) The Defendant will not sign either the *Acknowledgment of Service of Process* **or** *Defendant's Acknowledgment of Service/Affidavit of Waiver of Venue and Personal Jurisdiction*, and must be served properly with a copy of this complaint and summons.

3.

Date of Marriage

(Check only ONE either A or B)

- (A) Plaintiff and Defendant were lawfully married on _____ [date].
- (B) Plaintiff and Defendant are common law married, having entered into a common law marriage before January 1, 1997 on _____ [date].

4.

Date of Separation

The Defendant and I are separated. All companionship, cooperation, assistance, aid, and intimacy ended on or about _____ [date]. We are still separated.

5.

Children Born of the Marriage

(Check and complete all that apply)

(A) There is/are _____ [number] child(ren) born of the marriage:

Name	Year of Birth	Gender:

(B) The Wife is currently pregnant with _____ (1, 2, 3, etc.) infant(s), and her due date is the _____ day of _____, 201____.

6.

Custody of Children

Plaintiff and Defendant agree that it is in the best interest of the minor children for custody to be as follows:

Action:	Plaintiff	Defendant	Joint
Legal custody of the children to:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Physical custody of the children to:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Child visitation granted to:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

7.

Children's Past Living Arrangements

For the past five years, the children lived at the following addresses and with the following people (including dates of this residence):

Address:	Dates:	Lived with:

8.

Other Court Actions Concerning the Children

(Check only ONE either A or B)

- (A) Plaintiff has not participated as a party or a witness in any other capacity in any other litigation concerning the children named above and knows of no other proceeding concerning the minor children in this or any other state.

- (B) There have been the following actions regarding the minor children: (This includes actions including custody, visitation, family violence, protective orders, termination of parental rights, and adoption)

County/State/Court:	Type of Custody Action:	Date Filed:	Status:

County/State/Court:	Type of Custody Action:	Date Filed:	Status:

9.

**Others with a Custody Claim
(Check only ONE either A or B)**

- (A) No person other than the Plaintiff or Defendant has physical custody of the children or claims to have custody or visitation rights with respect to the minor children.
- (B) The following person(s) other than the Plaintiff or Defendant has/have custody or visitation rights with the minor children:

Name:	Claim:

10.

Grounds for Divorce

Plaintiff is entitled to a divorce from the Defendant upon the grounds that the marriage is **irretrievably broken** and there is no hope of reconciliation under O.C.G.A. § 19-5-3(13).

11.

Settlement Agreement

Plaintiff and the Defendant have entered into a written *Settlement Agreement* that resolves all issues as to an equitable division of property and debts, as well as custody, alimony, and child support.

12.

Domestic Relations Financial Affidavits

Plaintiff and Defendant have each completed the *Domestic Relations Financial Affidavit* and filed it along with this *Complaint For Divorce*.

13.

Parenting Plan

Plaintiff and Defendant have completed the *Parenting Plan* and have filed it along with this *Complaint For Divorce*.

14.

Child Support Order Addendum

Plaintiff and Defendant have completed the *Child Support Order Addendum* and filed it along with this *Complaint For Divorce*.

15.

Child Support Worksheet

Plaintiff has completed the *Child Support Worksheet* (located online at <http://csc.georgiacourts.gov>) and filed it along with this *Complaint For Divorce*.

16.

Wife's Former or Maiden Name
(Check only ONE either A, B or C)

- (A) You, the Plaintiff, are the Wife in this case and you desire to be restored to your former or maiden name, to wit: _____
_____. [Note: this must be your **full** name.]
- (B) You, the Plaintiff, are the Wife in this case and you do NOT desire that her former or maiden name be restored (i.e., you wish to keep your married name).
- (C) You, the Plaintiff, are the Husband in this case and this paragraph is not applicable.

WHEREFORE, the Plaintiff respectfully requests:

- (A) That the parties be totally divorced;
- (B) That the Court adopt and incorporate the parties' *Settlement Agreement* into a *Final Judgment and Decree* in this matter;
- (C) That the wife's name be changed back to _____
_____ [First, Middle, and Last name to be restored.
Example: Jane Doe Smith]
- (D) That the Court enter a *Child Support Order* (Child Support Worksheet attached);
- (E) That the Court award such other and further relief as it deems equitable and just.

Respectfully submitted this the _____ day of _____, 20____.

Signature of Plaintiff

Plaintiff's Name Printed

Plaintiff's Mailing Address _____ City _____ State _____ Zip _____

Plaintiff's Home Phone: _____ Alternate Phone: _____

Plaintiff's Email Address: _____

Please print leg ibly

Defendant's Street Address _____ City _____ State _____ Zip _____

Defendant's Home Phone: _____ Alternate Phone: _____

Defendant's Email Address: _____

Please print leg ibly