

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 been a resident of 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 the filing of this action. Defendant resides 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 the *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. 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.

Minor Children of the Marriage

There are no minor children born of the marriage and the wife is not now pregnant.

6.

Grounds for Divorce

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

7.

Settlement Agreement

(Check only ONE either A or B)

- (A) The parties have both signed a *Settlement Agreement* that resolves all issues as to an equitable division of property and debts.
- (B) The parties have not signed a *Settlement Agreement*

8.

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 your former or maiden name be restored.
- (C) You, the Plaintiff, are the Husband in this case and this paragraph is not applicable.

WHEREFORE, Plaintiff respectfully requests:

- (a) That the parties herein be totally divorced;
- (b) That the Court adopt and incorporate any Settlement Agreement of the parties into the Final Judgment and Decree in this matter;

