

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

_____,)
)
Plaintiff,)
)
v.) Civil Action No. _____
)
_____,)
)
Defendant.)

COMPLAINT FOR DIVORCE

Plaintiff, _____ [Name], comes

before this Court and shows this Court as follows:

1.

Residence requirement (Check only one: a or b)

- a) Plaintiff is a resident of _____ County, Georgia, and has been a resident of Georgia for at least six months prior to the filing of this action.
- b) Plaintiff is a resident of _____ County, Georgia, and has resided at the _____ military post for at least one year before filing this petition.
- c) Plaintiff is not a resident of the State of Georgia, but Plaintiff's spouse has been a resident of the state of Georgia and the county of _____ for at least six (6) months prior to my filing this action.

2.

Venue and Service (Check only one: a or b)

- a) Defendant is a resident of _____ County, Georgia, and has acknowledged service of the Complaint and Summons and has waived further service of process.
- b) Defendant is a resident of _____ County, _____ (state) and has signed an ACKNOWLEDGEMENT OF SERVICE AFFIDAVIT OF WAIVER OF VENUE AND PERSONAL JURISDICTION.

3.

Date of marriage (Check only one: a or b)

- a) Plaintiff and Defendant were lawfully married on _____.
- b) Plaintiff and Defendant are common law married, having entered into a common law marriage before January 1, 1997 as of _____.

4.

- The Defendant and I separated on _____ and have remained in a bona fide state of separation since that date.

5.

- There are _____ minor children born of the marriage.

Name: _____ DOB: _____ Sex: _____
 Name: _____ DOB: _____ Sex: _____
 Name: _____ DOB: _____ Sex: _____
 Name: _____ DOB: _____ Sex: _____

6.

Child Custody (Check only one: a, b or c)

- a) It is in the best interest of the minor children for _____
_____ to have sole legal and physical custody.
- b) Plaintiff and Defendant are both fit to share both temporary and permanent joint legal custody of the minor child(ren). It is in the best interest of the minor child(ren) for _____ to have primary physical custody.
- c) Plaintiff and Defendant have agreed that it is in the best interest of the minor children for the parties to have joint legal and physical custody. The physical custody arrangement will be as follows: _____

7.

For the past five years, the children lived at the following addresses with the following persons:

| Address | Dates | Lived With |
|---------|-------|------------|
| | | |
| | | |
| | | |
| | | |
| | | |

8.

Other court actions concerning the children (Choose only one: a or b)

a) Plaintiff asserts that he/ she has not participated as a party or a witness or 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. No person other than the parties to this action has physical custody of the minor children or any claim to custody or visitation with the minor children.

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

(Please tell the court about the following types of actions: custody, visitation, family violence, protective orders, termination of parental rights, and adoption.)

| <u>County/State/Court</u> | <u>Type of Custody Action</u> | <u>Date Filed</u> | <u>Status</u> |
|---------------------------|-------------------------------|-------------------|---------------|
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |

9.

Others with a custody claim (Choose only one: 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:

Name

Claim

| | |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

10.

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

11.

The parties have entered into a settlement agreement that resolves all issues as to an equitable division of property and debts, as well as alimony and child support.

WHEREFORE, Plaintiff respectfully requests:

- a) That the parties herein 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 Plaintiff's/Defendant's name be restored back to former name, _____; Year of Birth _____;
- d) That the Court enter an Order for Child Support;
- e) That the Court award such other and further relief as the it deems equitable and just.

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

Plaintiff *pro se* [Sign here]

Plaintiff's Address: _____

Plaintiff's Telephone(s): _____

Defendant's Address: _____

Defendant's Telephone(s): _____