**DIVORCE WITHOUT MINOR CHILDREN**

**IMPORTANT NOTE ABOUT THIS PACKET**

This document is intended for use ONLY if you wish to **type** your information using Microsoft Word or any other word processing computer software.

HELPFUL HINTS:

**“Plaintiff”**: The first and last name of the person who is filing this action

**“Defendant”**: The other party’s first and last name

**“Case Number”**: Leave this field blank if you are preparing to file a new case

**OPTIONAL FORM:**

If you are unable to afford the filing fees, you may ask the Court to waive the fees by completing the [Affidavit of Indigence and Eligibility to Proceed in Forma Pauperis (Pauper’s Packet)](http://www.georgialegalaid.org/resource/every-document-gwinnett-1/download/E137C69E-1BCE-4BD4-AA7F-FE6E2866094B.docx) and submit along with your other completed forms to the Clerk of Superior Court.



**SAMPLE ONLY**

You may download and complete this form by visiting:

##### [**Domestic Relations Case Filing Form**](http://www.gwinnettcourts.com/documents/Filing/DFILE.pdf)

located at <http://gwinnettfamilylawclinic.org> in the “Alphabetical list of every document” page



**SAMPLE ONLY**

You may download and complete this form by visiting:

##### [**Mutual Restraining Order**](http://www.gwinnettcourts.com/documents/filing/Mutual%20Restraining%20Order.pdf)

located at <http://gwinnettfamilylawclinic.org> in the “Alphabetical list of every document” page

SUPERIOR COURT OF GWINNETT COUNTY

STATE OF GEORGIA

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| |  | | --- | |  | |  | |  |   Plaintiff,  v.   |  | | --- | |  | |  | |  |   Defendant. | |  |  |  | | --- | --- | --- | | Civil Action  File No.: |  |  | |

**SUMMONS**

TO THE ABOVE NAMED RESPONDENT:

You are hereby summoned and required to file with the Clerk of said court and serve upon the Plaintiff, whose name and address is:

|  |
| --- |
|  |
|  |
|  |
|  |

an answer to the petition which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

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

**Richard T. Alexander, Jr.**

**Clerk of Superior Court**

**By**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Deputy Clerk**

SUPERIOR COURT OF GWINNETT COUNTY

STATE OF GEORGIA

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| |  | | --- | |  |   Plaintiff,  v.   |  | | --- | |  |   Defendant. | |  |  | | --- | --- | | Civil Action  File No.: |  | |

# COMPLAINT FOR DIVORCE WITHOUT MINOR CHILDREN

|  |  |
| --- | --- |
| My name is |  |

I am representing myself in this divorce action. In support of my case, I state as follows:

|  |  |  |  |
| --- | --- | --- | --- |
| 1. | 1. **Subject Matter Jurisdiction:** I am the Plaintiff in this action and:   *[****Check only one*** *of the following, either (a)* ***or*** *(b).]* | | |
|  | | (a) | I have been a resident of the State of Georgia for more than six (6) months immediately 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 for at least six (6) months immediately prior to my filing of this action. |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| 2. | 1. **Venue:** Myspouse is the named Defendant in this action.   *[****Check only one*** *of the following, either (a), (b), (c), (d)* ***or*** *(e).]* | | | | |
|  | | (a) | The Defendant is a resident of Gwinnett County and is subject to the jurisdiction of this Court. | | |
|  | | (b) | The Defendant is no longer a Gwinnett County resident, but still lives in Georgia. The Defendant and I lived together in Gwinnett County at the time we separated. I still reside in Gwinnett County, and the Defendant has only moved away from Gwinnett County within the past six months before the date of my filing this action. | | |
|  | | (c) | The Defendant is a Georgia resident but does not live in Gwinnett County. I live in Gwinnett County and the Defendant has acknowledged service of process and consented to the jurisdiction and venue of this Court. | | |
|  | | (d) | The Defendant is not a resident of the State of Georgia, but I am a resident of Gwinnett County, Georgia, and:  *[****Check only one*** *of the following, either (1), (2),* ***or*** *(3).]* | | |
|  | |  | (1) | The Defendant lives in the state of |  |
|  | |  |  | and the Defendant was formerly a resident of the State of Georgia and is subject to the personal jurisdiction of the Court under Georgia’s Long Arm Statute, OCGA § 9-10-91(5). | |
|  | |  | (2) | The Defendant lives in the state of |  |
|  | |  |  | and the Defendant has never resided in the State of Georgia. | |
|  | |  | (3) | The Defendant has acknowledged service of process and consented to the jurisdiction and venue of this Court. | |
|  | | | | | |
|  | | (e) | I am a resident of Gwinnett County and the Defendant’s whereabouts are unknown to me. I am filing my *Affidavit of Due Diligence* with this *Complaint*, and incorporate it here by reference. | | |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| 3. | **Service of Process:** The Defendant shall be served as provided under OCGA § 9-11-4, in the following manner:  *[****Check only one*** *of the following, either (a), (b),* ***or*** *(c).]* | | | | |
|  | | (a) | The Defendant has acknowledged service of process. I am filing the *Acknowledgment of Service* (which has been signed by the Defendant) with this *Complaint*. | | |
|  | | (b) | The Defendant may be served by the Sheriff’s Department at the Defendant’s residence/work address, which is: | | |
|  | | | |  |  |
|  | | | |  |  |
|  | | | |  |  |
|  | |  | (b-1) *[Check only if the Defendant lives outside Gwinnett County.]* The Defendant resides outside of Gwinnett County, and shall therefore be served by second original, as provided under OCGA § 9-10-72. Service shall be made by the sheriff’s department of the county where the Defendant resides. | | |
|  | | (c) | The Defendant’s whereabouts are unknown to me. I am filing my *Affidavit of Diligent Search* with this *Complaint*. The Defendant shall be served by publication as provided under OCGA § 9-11-4(e)(1) for those who cannot be found within the State of Georgia. To the best of my knowledge, the Defendant’s last known address is: | | |
|  | | | | | |
|  | | | |  |  |
|  | | | |  |  |
|  | | | |  |  |

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 4. | **Date of Marriage:**  *[****Check and complete only one*** *of the following, either (a)* ***or*** *(b).]* | | | | | | |
|  | | (a) | The Defendant and I were lawfully married on | | |  | |
|  | | | | | | | |
|  | | (b) | The Defendant and I are married by common law because we lived together and held ourselves out as husband and wife before | | | | |
|  | |  | January 1, 1997, beginning on | |  | | |
|  | | | | | | | |
|  | |  | |  | | | |
| 5. | | **Date of Separation:** The Defendant and I last separated on | | | | |  |
|  | | and we have remained in a true state of separation since that date. | | | | | |

6. **Settlement Agreement:**

*[Check only if there is a signed agreement.]*

The Defendant and I have entered into a *Settlement Agreement*, which we both want to be incorporated into the *Final Judgment and Decree for Divorce*. The *Settlement Agreement* has been signed by each of us in front of a notary public, and I am filing the *Settlement Agreement* with the Court, together with this *Complaint*.

7. **Minor Children:**

[If you and the Defendant have any minor children together, you must use a different Divorce Complaint form. See instructions.]

The Defendant and I do not have any minor children together.

|  |  |  |
| --- | --- | --- |
| 8. | **Alimony:** *[****Check only one*** *of the following, either (a), (b),* ***or*** *(c).]* | |
|  | (a) | I am financially dependent on the Defendant and need the Court to order the Defendant to pay alimony for my support. |
|  | (b) | I am not asking for alimony. |
|  | (c) | The issue of alimony cannot be decided in this action because the Court does not have personal jurisdiction over the Defendant. |

|  |  |  |
| --- | --- | --- |
| 9. | **Marital Property:** *[****Check only one*** *of the following, either (a), (b), (c)* ***or*** *(d).* ***Do not*** *include complete account numbers.]* | |
| (a) | The Defendant and I have already divided our marital property, and we are both satisfied with the division. |
|  | All of our property is listed on our *Settlement Agreement*. |
| (b) | The Defendant and I have not obtained any property during our marriage. |
| (c) | The Defendant and I have obtained the following property during our marriage, and I am asking for a fair division of this property: |
|  | All of our property is listed on a separate sheet attached to this *Complaint.*    All of our property is listed below: |

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Type** | | **Description** | | | | | |
|  | House  (address): |  | | | | | |
|  |  |  | | | | | |
|  |  |  | | | | | |
|  | Other Real Estate  (address): |  | | | | | |
|  |  |  | | | | | |
|  |  |  | | | | | |
|  | Mobile Home  (year, model): |  | | | | | |
|  |  |  | | | | | |
|  | Pension(s): | Mine worth: | |  | Defendant’s worth: | |  |
|  |  |  | | | | | |
|  | Motor Vehicles | *Year* | *Make* | | | *Model* | |
|  |  |  | | | | | |
|  |  |  | | | | | |
|  |  |  | | | | | |
|  |  |  | | | | | |
|  | Bank Accounts | *Name of Institution, type of account* | | | | | |
|  |  |  | | | | | |
|  |  |  | | | | | |
|  |  |  | | | | | |
|  | Other property |  | | | | | |
|  |  |  | | | | | |

(d) The issue of the division of marital property cannot be decided in this case because none of the property is in Georgia and the Court does not have personal jurisdiction over the Defendant.

|  |  |  |
| --- | --- | --- |
| 10. | **Joint or Marital Debts:** *[****Check only one*** *of the following, either (a), (b),* ***or*** *(c).* ***Do not*** *include complete account numbers.]* | |
| (a) | The Defendant and I do not have any outstanding joint or marital debts. |
| (b) | The Defendant and I have the following outstanding joint or marital debts, and responsibility for paying them should be as listed below: |

|  |  |  |
| --- | --- | --- |
| **Creditor** | **Balance** | **Who Should Pay** |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

|  |  |
| --- | --- |
|  | Listed on separate paper attached to this *Complaint*  Listed in the signed *Settlement Agreement* |
| (c) | The issue of dividing joint and marital debts cannot be decided in this case because the Court does not have personal jurisdiction over the Defendant. |

|  |  |  |
| --- | --- | --- |
| 11. | **Restraining Order Where Violence Has Occurred:**  *[Read instructions carefully and check only if applicable.]* | |
| There is a history of physical violence by the Defendant toward me, and I am afraid that the Defendant will engage in further acts of violence or harassment toward me unless the Court enters a temporary and permanent restraining order. |

|  |  |
| --- | --- |
| 12. | **Restore Former or Maiden Name:** *[Check only if applicable.]* |
| I am asking the Court to restore my former or maiden name, which is: |
|  |

|  |  |  |
| --- | --- | --- |
| 13. | **Grounds for Divorce:**  *[Check the ones that you can prove at trial.]* | |
| (a) | **Our marriage is irretrievably broken**. The Defendant and I can no longer live together and there is no hope that we will get back together. |
| (b) | **Cruel treatment** - The Defendant committed the following acts of cruel treatment toward me: |
|  |  |
|  |
|  |
| (c) | **Adultery** - The Defendant has had sexual intercourse with someone else during our marriage. |
| (d) | **Desertion** - The Defendant has intentionally and continually deserted me for at least a year. |
| (e) | **Other grounds** from list in OCGA § 19-5-3, as explained here: |
|  |
|  |
|  |

FOR THESE REASONS, I REQUEST THE FOLLOWING RELIEF:

*[Check* ***all*** *that apply.]*

|  |  |
| --- | --- |
| (a) | That process and summons issue as provided by law; |
| (b) | That Defendant be served with a copy of this *Complaint*; |
| (c) | That I be granted a total divorce from the Defendant; |
| (d) | That the *Settlement Agreement* signed by the parties be incorporated into the *Final Judgment and Decree of Divorce*. |
| (e) | That the Defendant be ordered to pay me alimony for my support; |
| (f) | That our marital property be divided according to Paragraph 9; |
| (g) | That our joint or marital debts be divided according to Paragraph 10; |
| (h) | That the Defendant be temporarily and permanently restrained from harassing me or committing any acts of violence toward me; |
| (i) | That my former or maiden name be restored according to Paragraph 12; |
| (j) | That a Rule Nisi be scheduled by the Court, to decide on the relief I have requested; |
| (k) | That the Court order the parties to participate in mediation, to try to resolve this matter; and |
| (l) | That the Court order any and all other relief that the Court finds appropriate. |

|  |  |  |  |
| --- | --- | --- | --- |
| Dated: |  |  |  |
|  |  |  | Plaintiff *Pro se* |
| Name: |  |
| Address: |  |
|  |  |
|  | City, State ZIP |
| Phone: |  |
| Email: |  |

SUPERIOR COURT OF GWINNETT COUNTY

STATE OF GEORGIA

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| |  | | --- | |  |   Plaintiff,  v.   |  | | --- | |  |   Defendant. | |  |  | | --- | --- | | Civil Action  File No.: |  | |

**VERIFICATION**

I am the Plaintiff filing this action. I swear or affirm that I have read the *Complaint for Divorce without Minor Children* and that the facts contained within my *Complaint* are true and correct.

Plaintiff *[signature]*

SWORN AND AFFIRMED before me this

\_\_\_\_\_day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_20\_\_\_\_.

NOTARY PUBLIC

**FINANCIAL AFFIDAVIT**

**IMPORTANT INFORMATION ABOUT THIS FORM**

**You need to complete the *Financial Affidavit* if you and your spouse have not reached an agreement, and you are asking the Court for the following:**

1) Spousal support/alimony;

2) Division of property; or

3) If the judge in your case requires it

IMPORTANT . . .

* **The *Financial Affidavit* is due at least 5 days before your temporary or final hearing.**

**You do NOT need to complete a *Financial Affidavit* if:**

* You and your spouse have BOTH signed and notarized a complete *Settlement Agreement,* and there are no outstanding disagreements over property or spousal support/alimony

IN THE SUPERIOR COURT OF GWINNETT COUNTY

STATE OF GEORGIA

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| |  | | --- | |  |   Plaintiff,  v.   |  | | --- | |  |   Defendant. | |  |  | | --- | --- | | Civil Action  File No.: |  | |

**DOMESTIC RELATIONS FINANCIAL AFFIDAVIT**

1. I swear and affirm under oath that the following financial information is true and complete:

|  |  |  |  |
| --- | --- | --- | --- |
| **My Name:** |  | **My Age:** |  |
| Other Party’s Name: |  | Other Party’s Age |  |
| Date of Marriage: |  | Date of Separation: |  |

My children for whom support is not being determined in this case:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Name** |  | **Age** |  | **Resides with** |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |

1. SUMMARY OF MY INCOME AND NEEDS (*complete this section last*)

|  |  |  |
| --- | --- | --- |
| (a) | Gross monthly income (from item 3A) |  |
| (b) | Net monthly income (from item 3B) |  |
| (c) | Average monthly expenses (item 5A) |  |
| (d) | Monthly payments to creditors |  |
| Total monthly expenses and payments to creditors (item 5C) | |  |
|  | |  |

3. A. MY 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 | |  |
| Child support 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** | |  |
| 1. 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** |  | **Plaintiff’s Separate Asset** | | |  | **Defendant’s Separate Asset** |  | **Basis of the**  **Claim** |
| Cash | |  |  |  | | |  |  |  |  |
| Investment accounts | |  |  |  | | |  |  |  |  |
| Certificates (stocks/bonds) | |  |  |  | | |  |  |  |  |
| Bank Accounts  (list each account): | |  |  |  | | |  |  |  |  |
| Checking | |  |  |  | | |  |  |  |  |
| Savings | |  |  |  | | |  |  |  |  |
|  | |  |  |  | | |  |  |  |  |
| 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. AVERAGE MONTHLY EXPENSES FOR MY HOUSEHOLD

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **HOUSEHOLD EXPENSES** | | | | | | | | | | | | | | | | |
| Mortgage or Rent payments |  | | | | | | |  | | Gas | | | | | |  |
| Property taxes |  | | | | | | |  | | Repairs & Maintenance | | | | | |  |
| Homeowner's/Renter's Insurance |  | | | | | | |  | | Lawn care | | | | | |  |
| Electricity |  | | | | | | |  | | Pest control | | | | | |  |
| Water |  | | | | | | |  | | Cable TV/Internet | | | | | |  |
| Garbage & sewer |  | | | | | | |  | | Misc. household & Grocery items | | | | | |  |
| Telephone |  | | | | | | |  | | Meals Outside Home | | | | | |  |
| Residential Lines |  | | | | | | |  | | Other (*Specify*) | | | | | |  |
| Cellular Telephones |  | | | | | | |  | |  | | | | | |  |
| Total Household Expenses | | | | **$** | | | | | | |  | | | | |  |
| **VEHICLE/TRANSPORTATION** | | | | | | | | | | | | | | | | |
| Gasoline & Oil | | |  | | | | |  | | Auto tags/Registration & License | | | | |  | |
| Repairs & Maintenance | | |  | | | | |  | | Insurance | | | | |  | |
| Public Transportation | | |  | | | | |  | |  | | | | |  | |
| **Total Vehicle/Transportation Expenses** | | | | | | | | | | **$** |  | | | |  | |
| **OTHER VEHICLES (boats, trailers, RVs, etc.)** | | | | | | | | | | | | | | | | |
| Gasoline & Oil |  | | | | | | |  | | Tags/Registration/License | | | | |  | |
| Repairs & Maintenance |  | | | | | | |  | | Insurance | | | | |  | |
| **Total Other Vehicles Expenses** | | | | | | $ | | | | |  | | | |  | |
| **CHILDREN’S EXPENSES** | | | | | | | | | | | | | | | | |
| Child Care (total monthly cost) | |  | | | | |  | | Allowances | | | |  | | | |
| School tuition | |  | | | | |  | | Clothing | | | |  | | | |
| Tutoring | |  | | | | |  | | Diapers | | | |  | | | |
| Private lessons (*e.g., music, dance)* | |  | | | | |  | | Medical/Dental/Prescriptions | | | |  | | | |
| School Supplies/Expenses | |  | | | | |  | | Grooming, Hygiene | | | |  | | | |
| Lunch money | |  | | | | |  | | Gifts from children to others | | | |  | | | |
| Other Educational Expenses (list type & amount): | |  | | | | |  | | Entertainment | | | |  | | | |
| Activities *(including extra-curricular, school, religious, cultural, etc.)* | |  | | | | |  | | Summer Camps | | | | |  | | |
|  | |  | | | | |  | |  | | | |  | | | |
| Total Children's Expenses | | | | | **$** | | | | | | |  | | | | |

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **INSURANCE** | | | | | | | | | | |
| Health | |  | | |  | Child(ren)’s portion-health | | | |  |
| Dental | |  | | |  | Child(ren)’s portion – dental | | | |  |
| Vision | |  | | |  | Child(ren)’s portion – vision | | | |  |
| Life Insurance | |  | | |  | Beneficiary – Life | |  | | |
| Disability | |  | | |  | Other Insurance (specify) | | |  | |
|  | |  | | |  |  | | |  | |
| Total Insurance Expenses | | **$** | | |  | **Total Child(ren)’s Portion** | | | **$** | |
| **OTHER EXPENSES** | | | | | | | | | |
| Dry cleaning & laundry | |  | |  | Publications | | | |  |
| Clothing | |  | |  | Dues, Clubs | | | |  |
| Medical/Dental/Prescription *(out of pocket uncovered expenses)* | |  | |  | Religious & Charities | | | |  |
| Your Gifts (special holidays) | |  | |  | Pet expenses | | | |  |
| Entertainment | |  | |  | Alimony paid to former spouse | | | |  |
| Recreational Expenses (e.g. fitness) | |  | |  | Child support paid for other children | | | |  |
| Vacations | |  | |  | Date of initial CS order: | | | |  |
| **Travel expenses for visitation** | |  | |  | Other *(attach sheet to list)* | | | |  |
|  | |  | |  |  | | | |  |
| **Total Other Expenses** | | | **$** | | |  | | |  |

|  |  |
| --- | --- |
| **5(A) TOTAL MONTHLY EXPENSES** (*add household, transportation, children’s, insurance, and other expenses*) | **$** |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **B. PAYMENTS TO CREDITORS** | | | (please check one) | |
| **To Whom:** | **Balance Due** | **Monthly Payment** | **Plaintiff** | **Defendant** |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
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|  |  |
| --- | --- |
| **5(B) TOTAL MONTHLY PAYMENTS TO CREDITORS:** | $ |
|  |  |
| **5(C) TOTAL MONTHLY EXPENSES AND PAYMENTS TO CREDITORS:** | **$** |

This day of , 20     .

|  |
| --- |
| (signature) |
|  |
| Printed Name |

Plaintiff signs and affirms under oath that the information contained in this *Financial Affidavit* is complete true and correct.

NOTARY PUBLIC

IN THE SUPERIOR COURT OF GWINNETT COUNTY

STATE OF GEORGIA

|  |  |  |
| --- | --- | --- |
| |  | | --- | |  |   Plaintiff,  v.   |  | | --- | |  |   Defendant. |

|  |  |
| --- | --- |
| Civil Action File No.:   |  | | --- | |  | |

FINAL JUDGMENT AND DECREE OF DIVORCE

Upon consideration of evidence submitted and upon legal principles, the Court grants a total divorce, a divorce a vinculo matrimonii, to Plaintiff and Defendant. The Court orders and decrees that the marriage contract heretofore entered into between Plaintiff and Defendant, from and after this date, be set aside and dissolved as if no such contract had ever been made or entered into, and Plaintiff and Defendant, formerly married, in the future shall be held and considered as separate and distinct persons, altogether unconnected by any nuptial union or civil contract whatsoever.

|  |  |  |
| --- | --- | --- |
| The prior name of the  Plaintiff  Defendant, |  | , is restored. |

The Agreement between the parties filed dated \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ is incorporated herein by reference and made a part of this Final Judgment and Decree. Each party is ORDERED and directed to comply with the terms and provisions therein. This is to certify that the above is a true and correct copy of the Final Judgment and Decree in the above stated case.

SO ORDERED,

this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_20\_\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Judge, Gwinnett Superior Court ☐ By designation

This is to certify that the above is a true and correct copy of the Final Judgment and Decree in the above stated case.

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

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Deputy Clerk, Gwinnett Superior Court



**SAMPLE ONLY**

This form cannot be typed. You may download, complete, and print this form by visiting:

[**Report of Divorce, Annulment or Dissolution of Marriage**](http://www.gwinnettcourts.com/documents/filing/d0000228.pdf)



**SAMPLE ONLY**

This form cannot be typed. You may download and print this form by visiting:

[**Domestic Relations Case Final Disposition Information Form**](http://www.gwinnettcourts.com/documents/filing/DDISP.pdf)

**NEXT STEPS…**

**GETTING THE OTHER PARTY SERVED**

**Uncontested:** You and spouse agree to the *Parenting Plan,* Child Support,division of debt and property, and are prepared to sign and notarize a *Settlement Agreement*.

1) Complete the [***Settlement Agreement without Minor Children***](http://www.georgialegalaid.org/resource/every-document-gwinnett-1/download/A6BB77A9-5865-4E7F-9E2F-E8E19EB4C98F.docx) form located at <http://gwinnettfamilylawclinic.org> in the “Alphabetical list of every document” section; AND

2) Obtain your spouse’s acknowledgment of service:

* + - If your spouse lives in Gwinnett County:
    - Complete the *Acknowledgment of Service* form on the following page; OR
  + If your spouse lives outside of Gwinnett County:
    - Complete the [***Acknowledgment of Service* *and Consent***](http://www.georgialegalaid.org/files/6FCBD72D-B465-109D-9EC1-5A4F52A74EE9/attachments/25DCA247-48A3-4A21-92A6-21A94A3A3155/acknowledgement-of-service-and-consent-generic.pdf)form located at <http://gwinnettfamilylawclinic.org> in the “Alphabetical list of every document” section.

3) File all signed, notarized forms with the other completed forms in this packet.

**Contested:** Your spouse will not agree to your request, will not cooperate with signing an *Acknowledgment of Service.*

Complete the ***Sheriff Entry of Service***form. This form is a 3-part carbon copy which is available at the Gwinnett Justice and Administration Center.

**Spouse’s whereabouts are unknown:** You must document your search efforts and request permission from the Court to publish notice of your *Complaint* through the local newspaper.

Complete the [**Publication Packet**](http://www.georgialegalaid.org/resource/every-document-gwinnett-1/download/97E899D2-7834-4B61-A2E4-107B2672EA57.docx) located at <http://gwinnettfamilylawclinic.org> in the “Alphabetical list of every document” section.

SUPERIOR COURT OF GWINNETT COUNTY

STATE OF GEORGIA

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| |  | | --- | |  |   Plaintiff,  v.   |  | | --- | |  |   Defendant. | |  |  | | --- | --- | | Civil Action  File No.: |  | |

**ACKNOWLEDGMENT OF SERVICE**

I am the Defendant in this case. I hereby acknowledge that I have received a copy of the *Summons, Complaint for Divorce without Minor Child(ren)*, and the following other documents:

|  |
| --- |
|  |
|  |
|  |

I waive formal process, but I do not waive further notice, or my right to raise any defenses I may have in this action.

Should further notice be required for any reason, the notice should be mailed to me at the following address:

|  |
| --- |
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|  |  |  |
| --- | --- | --- |
| Sworn to and subscribed before me on .  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Notary Public |  | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Defendant, *Pro se* *(Signature)* |