

**NORTHEASTERN JUDICIAL CIRCUIT
Hall and Dawson Counties**

**Standing Order
For Domestic Relations Cases**

Effective December 31, 2010

IN THE SUPERIOR COURT OF HALL AND DAWSON COUNTIES

STATE OF GEORGIA

Plaintiff
v.

Defendant.

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/
/

Civil Action File
Number: _____

FILED
HALL CO., GA.
11 JAN -4 AM 9:42
CHIEF CLERK
SUPERIOR COURT
BY *DL*

DOMESTIC RELATIONS ACTION
STANDING ORDER

-1-

Pursuant to O.C.G.A. § 19-9-1(b) and the Implementing Order of the Court ~~filed~~ on the 31st day of December, 2010,, this Standing Order binds the parties in all domestic relations cases, their agents, servants, employees, and all other persons acting in concert with the parties.

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Each party is hereby enjoined and restrained from unilaterally causing or permitting the child or children of the parties to be removed from the jurisdiction of the Court without express permission of the Court or written approval of both parties. For purposes of this paragraph, the jurisdiction of the Court shall be the State of Georgia.

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Each party is hereby enjoined and restrained from doing or attempting to do or threatening to do any act which injures, maltreats, vilifies, molests, or harasses the adverse party or the child or children of the parties or the pets of the parties.

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Each party is hereby enjoined and restrained from selling, damaging, encumbering, trading, contracting to sell, or otherwise disposing of or removing from the jurisdiction of this Court, without the permission of the Court, any of the property belonging to the parties except in the ordinary course of business or except by an emergency which has been created by the other party to the action.

-5-

Each party is hereby enjoined and restrained from disconnecting, transferring, changing or otherwise interrupting the utilities servicing the marital residence. Utilities shall be defined as electricity, gas, water, basic residential telephone (excluding long distance), or cell phone if the parties are not using a residential land line for phone service, basic internet, and basic cable.

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Each party is hereby enjoined and restrained from canceling or changing auto, health, dental, vision, prescription and/or life insurance for the parties and/or the parties' child or children which is in place at the time of the filing of the action. This shall include the change of beneficiary for life insurance policies.

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Each party shall complete, file and serve a **Domestic Relations Financial Affidavit (DRFA)** as required by Uniform Superior Court Rule 24.2. Failure of any party to furnish the affidavit as directed in Uniform Superior Court Rule 24.2 may subject the offending party to the penalties of contempt. A copy of the DRFA is attached hereto, as Exhibit "A".

In all actions involving child custody and/or modifications of child support, the Plaintiff shall be required to file and serve upon the Defendant a completed **Child Support Worksheet** and any applicable Schedules as required by Uniform Superior Court Rule 24.2. Said Worksheet and Schedules shall be completed in substantial form to the best of the Plaintiff's knowledge and belief. The Worksheet and Schedules are available at www.georgiacourts.org/csc. The Defendant shall file his or her Worksheet and Schedules as required by Uniform Superior Court Rule 24.2. Failure to timely furnish the Worksheet and Schedules may subject the offending party to the penalties of contempt. All Final Judgments and Agreements furnished to the Court for approval and/or entry must comply with the drafting mandates of O.C.G.A. § 19-5-12 and 19-6-15. Pursuant to O.C.G.A. § 19-6-31, 32, and 33, the recipient of child support has the express right, without notice to the other party, at the time any child support order is entered or at any time thereafter to submit a separate Income Deduction Order for Award of Child Support to the Court for immediate entry.

This Order shall apply to all domestic relations cases filed in the Northeastern Judicial Circuit and shall be the standing order until further order or action by the judges of this Court. It is ordered that all parties shall be subject to and comply with this Order in its entirety. The terms and conditions hereof may be modified or amended by subsequent order of any judge of this Court or any judge sitting in the Court in any individual case.

All parties are put on notice that they are to read and comply with Uniform Superior Court Rule 24.2, which is attached hereto and incorporated herein by reference as Exhibit "B". Failure to comply with Uniform Superior Court Rule 24.2 could result in the Court imposing sanctions.

PARENTING SEMINAR

All parties with minor children shall successfully complete one of the approved co-parenting seminars when involved in any of the following cases; all divorce cases, all change of custody or visitation cases in which there is no written agreement at time of filing; all legitimation cases; and any other domestic relations cases as may be otherwise ordered by the court. The Plaintiff shall successfully complete the seminar within 31 days following the filing of the Complaint and the Defendant shall successfully complete the seminar within 31 days of the date of service of the Complaint on the Defendant. Information on approved seminars, dates, locations, and possible fee waivers for indigent parties is available in the office of the Clerk of the Superior Court, the Family Law Information Center, and online at http://www.hallcounty.org/judicial/jud_superiorcourt.asp.

Parties must attend the entire seminar in order to receive credit for attendance. Upon successful completion of the seminar, the parties will be awarded a certificate of attendance to present to the judge at the time of their court appearance. Each party is also required to file with the Clerk of Superior Court written verification of his or her completion of the parenting seminar.

A deputy of the Sheriffs Department in the county in which the seminar is held will provide security at each seminar immediately prior to, during and immediately after each session.

A service of equal value may be substituted for these Seminars if written verification satisfactory to the court is provided to the court by the service provider verifying attendance and the issues addressed through professional or pastoral counseling, or other similar educational program. Parties may substitute any four (4) hour Superior Court approved parenting seminar in the State of Georgia. A certificate of attendance is valid for three (3) years.

For good cause shown, the assigned judge may excuse a party from completing the Seminar in individual cases. Requests for excusals stating the reasons must be in writing, filed with a copy delivered to the judge's office *within 10 days* of the filing of the complaint in the case, or within 10 days of the date of service of the complaint on the defendant, whichever is later. Upon failure to complete the seminar as ordered, the assigned judge may take appropriate action, including holding the non-complying party in contempt.

MEDIATION

All parties in contested domestic relations cases are Ordered to participate in mediation prior to the Final Hearing. Furthermore, the parties shall attend and complete mediation within ninety (90) days of service of the Complaint by the Plaintiff upon the Defendant. This requirement does not apply to cases filed under the Family Violence Act, O.C.G.A. § 19-13-1 et seq. Waivers for mediation may be granted in the court's discretion, particularly for a Plaintiff seeking child support or alimony in a Motion for Contempt. Forms are available in the Family Law Center (FLIC) or online. Mediation services may be obtained through the Ninth Judicial Administrative District Office of Dispute Resolution located at 501 Candler Street, Gainesville, GA 30501 (770) 535-6909.

If any party is represented by counsel but chooses to not have their counsel present or available via telephone during the mediation, then any agreement reached on any issue, shall be binding upon the parties. If a party does not have an attorney of record as of the date of mediation, then they shall have ten (10) days from the date of mediation to review the agreement with an attorney of their choice. After ten (10) days, the parties shall be bound by the agreement unless written notice has been sent to the opposing counsel or the opposing party within said time period. In the event the parties attend mediation with their attorneys, then the mediation agreement shall be binding at the time an agreement is reached. Upon failure to attend mediation as ordered, the assigned judge may take appropriate action, including holding the non-complying party in contempt. This Standing Order shall control over any inconsistent Office of Dispute Resolution instructions.

Prior to the final hearing and as soon as possible after the completion of mediation, the parties, through counsel if represented, shall certify to the court in writing that the parties have complied with the mediation requirement of this order.

PARENTING PLAN

Effective January 1, 2008, except when a parent seeks emergency relief for Family Violence, pursuant to O.C.G.A. § 19-13-3 or 19-13-4, in all cases in which custody of a child is at issue between the parents, the parents are required to prepare a parenting plan and submit it to the Judge and the other side prior to commencement of any hearing involving the children. All parties are put on notice that they are Ordered to read and comply with O.C.G.A. § 19-9-1 et seq. At a minimum, the parenting plan shall include the items attached hereto and incorporated herein by reference as Exhibit "C".

CONFLICTS

Attorneys shall attend calendars and be on time. If an attorney has a conflict, the attorney shall notify both the Court and the opposing counsel in accordance with Uniform Superior Court Rule 17.1. Upon completion of the case, calendar call, or hearing creating the conflict, the attorney shall immediately report by telephone to the Court and opposing counsel and shall then report in person to the Court, unless otherwise specifically instructed by the Court. Failure to advise of a conflict or to report as required by this Rule may result in an assessment of attorney's fees against the attorney failing to give notice or report, and may also result in a finding of contempt.

HEARINGS

- A. Attorneys shall advise the Court if they anticipate any domestic hearing will take more than three (3) hours to try. Such cases may be specially set for hearing.
- B. **Temporary Hearings:**
 - (1) **Scheduling:** Each judge will set temporary hearings in domestic relations cases by Rule Nisi pursuant to judicial assignment.
 - (a) **Financial Affidavits:** Uniform Superior Court Rule 24.2 requires the timely filing and service of Domestic Relations Financial Affidavits. Failure to comply with this Rule may result in the continuance of temporary hearings and sanctions being imposed upon the offending party.

(2) Other Affidavits: All Affidavits shall be served in compliance with Uniform Superior Court Rule 24.2. "Twenty-four hours" means 24 hours before the temporary hearing is scheduled to begin pursuant to the Rule Nisi.

(3) Service: "Service of Affidavits" means by legally recognized service methods (facsimile or e-mail are not legally recognized).

C. Temporary Hearings in Modification Cases: If a party requests a temporary hearing in a modification case (i.e. custody, child support, alimony, etc.) then he or she shall set forth the request in a separate Motion for Temporary Hearing and shall include specific grounds which justify consideration of a temporary change in compliance with the appropriate Code section.

D. Pretrial Hearings: In this Circuit, the Court may schedule pretrial hearings at which the attorneys and/or the parties shall appear as directed by the judge. The parties may also request a pretrial hearing.

E. Final Hearings:

(1) Each Tuesday from 8:30 a.m. to 9:30 a.m. uncontested final hearings shall be heard by a judge designated to preside over the matters. No Rule Nisi is necessary. An "uncontested final hearing" is one where service is properly made, at least forty-six (46) days have passed from the date of service or filing date of the acknowledgment of Service, and all parties have signed, with notarized signatures, a written Agreement settling each and every issue pending in the case, leaving no issues for the Court to rule upon. An uncontested final hearing may occur thirty-one days after service or filing of an Acknowledgment of Service if both parties have consented to the hearing in writing. The Court may allow, in its discretion, an uncontested final divorce to be taken upon motion and affidavit in the form attached hereto if there are no minor children and the wife is not pregnant.

F. Dawson County Cases: Venue of the actual hearing for temporary, pretrial, and final hearings in all Dawson County cases shall be determined by Rule Nisi completed by the Court. This Standing Order shall apply to Dawson County cases.

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ORDERS

A. Income Deduction Orders: All final child support Orders must be in conformity with O.C.G.A. § 19-5-12. Also, an Income Deduction Order shall be required in every case involving the payment of child support unless the Order includes findings that it is in the best interests of the children not to require an Income Deduction Order. All Income Deduction Orders shall comply with O.C.G.A. § 19-6-33.1 (Family Registry).

B. Preparation of Order: When any Order is submitted to the Court, it should be signed by the attorney who prepared the Order and opposing counsel. The attorney preparing the Order, as directed by the Court, shall submit the Order to opposing counsel within ten (10) business days of the hearing, as measured by the postmark date. The receiving attorney shall review and respond to the Order within ten (10) business days of the postmark date or shall make a reasonable response to the proposed Order within said time (i.e. the responding attorney has requested a transcript of the ruling and has not received it; the responding attorney is on vacation; etc.). If the responding attorney does not respond within ten business days, then the Order prepared by the preparing attorney shall be submitted to the Court with a copy of the letter written to opposing counsel indicating that opposing counsel has had ten business days to review the Order. If the preparing attorney does not prepare the Order within the required time, the receiving party may prepare the Order under the same guidelines, after making a good faith attempt to make telephone or other contact with the other attorney.

C. Rulings: All Judges shall make every effort to issue rulings within thirty days of the close of the evidence or within thirty days of receipt of any written briefs, whichever is later.

D. Divorce by Verified Petition and Affidavit: In cases where there are no minor children as a result of the marriage and where wife is not pregnant, if the parties reach a settlement of all issues arising from the divorce action, parties who are represented by counsel may have their counsel submit to the Judge, upon expiration of the requisite statutory waiting

period, an Affidavit and a Checklist in the form attached to this Order, , a copy of the Settlement Agreement executed by both parties, an Agreement to Try at first term, if applicable, and a proposed Final Judgment and Decree of Divorce. The Judge, after review of the documents and the file, may, in these limited circumstances, grant the divorce on the pleadings. A photocopy of the Northeastern Judicial Circuit Checklist For Divorce By Verification And Affidavit is attached hereto, marked "# 1 " and incorporated herein by reference thereto.

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VISITING JUDGES

If a case is set down for a final hearing and the local Judge to whom the case is assigned is not presiding over the final hearing, either attorney may request that the case be continued to a calendar when the assigned Judge will be presiding. Such a request should be made as soon as possible with notice to the opposing party. The Judges will endeavor to notify the attorneys of record when they will not be presiding over their final hearing days.

The parties shall not have an option of requesting that their case be removed from any temporary or pretrial calendar because a Visiting Judge is presiding. The term "Visiting Judge" shall mean any Judge other than the four elected or appointed Superior Court Judges of this circuit.

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APPOINTMENT OF GUARDIAN AD LITEM

On its own motion, the Court may appoint a Guardian Ad Litem, or a party may make a motion for the appointment of a Guardian Ad Litem. All requests for appointment of a Guardian Ad Litem shall be in accordance with Superior Court Uniform Rules.

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JURY DEMAND

In the event either party files a Demand for Jury Trial, then the parties and their attorneys shall prepare a formal Pretrial Order and may attend a pretrial conference to review said Order. The case shall be placed on the next available jury trial calendar. Attorneys and parties should be aware that domestic cases may be placed to the front of trial calendars to expedite trial. Once a Demand for Jury Trial is filed, the Demand may not be withdrawn except by written consent of both parties and approval of the Court.

In the event either party files a Demand For Jury Trial, the parties shall not have an option of requesting that their case be removed from any temporary, pretrial calendar or jury trial calendar because a Visiting Judge is presiding.. In domestic cases in which a Demand For Jury Trial is filed by one of the parties, counsel for both parties will not be allowed to request that the elected or appointed judge preside over the jury trial. A visiting judge may preside at such jury trial

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ASSIGNMENT OF JUDGES

In modification actions and contempt actions concerning a Divorce Decree, the assignment of such case shall be made, on the basis of the Plaintiff/Movant's name as it existed at the time of the divorce or other original action and not on the name as it exists at the time of filing the modification action. For example, if the wife has remarried since the entry of the Divorce Decree, and her current name begins with "C" but her last name at the time of the Divorce Decree began with a "B," then the modification action shall be assigned to the Judge handling the "B" cases. The caption of the modification action should reflect the name of the party at the time of the original filing (i.e. Jane Carter a/k/a Jane Brown). The modification action will go back to the Judge to whom the original proceeding was assigned who may not necessarily be the Judge who actually signed the Final Order (i.e. if the Final Order was signed by a presiding Judge on a Duty Day or the Judge to whom the case was originally assigned is no longer handling the cases with last names beginning in that letter). In that event, the case would still go back to the Judge that it was originally assigned to even if that Judge did not sign the original Order. Contempts of Temporary Orders will go to the Judge to whom the case is assigned and these will not be heard on a duty day. For Modifications of Temporary Orders, the Judge who heard the temporary hearing will hear the Modification of Temporary Order and these matters will not be heard on duty days.

ETHICS

All attorneys practicing in this Circuit shall follow and comply with the following aspirations:

As to clients, I will aspire:

- A. To expeditious and economical achievement of all client objectives.
- B. To fully informed client decision-making. As a professional, I should:
 - (1) Counsel clients about all forms of dispute resolution;
 - (2) Counsel clients about the value of cooperation as a means towards the productive resolution of disputes;
 - (3) Maintain the sympathetic detachment that permits objective and independent advice to clients;
 - (4) Communicate promptly and clearly with clients; and
 - (5) Reach clear agreements with clients concerning the nature of the representation.

As to opposing parties and their counsel I will aspire:

- A. To cooperate with opposing counsel in a manner consistent with the competent representation of all parties. As a professional, I should:
 - (1) Notify opposing counsel in a timely fashion of any canceled appearance;
 - (2) Grant reasonable requests for extensions or scheduling changes; and
 - (3) Consult with opposing counsel in the scheduling of appearances, meetings and depositions.
- B. To treat opposing counsel in a manner consistent with his or her professional obligations and consistent with the dignity of the search for justice. As a professional, I should:
 - (1) Not serve motions or pleadings in such a manner or at such a time as to preclude opportunity for a competent response;
 - (2) Be courteous and civil in all communications;
 - (3) Respond promptly to all requests by opposing counsel;
 - (4) Avoid rudeness and other acts of disrespect in all meetings including depositions and negotiations;
 - (5) Prepare documents that accurately reflect the agreement of all parties; and
 - (6) Clearly identify all changes made in documents submitted by opposing counsel for review.

As to the Courts, other tribunals, and to those who assist them, I will aspire:

- A. To represent my clients in a manner consistent with the proper functioning of a fair, efficient, and humane system of justice. As a professional, I should:
 - (1) Avoid non-essential litigation and non-essential pleading in litigation;
 - (2) Explore the possibilities of settlement of all litigated matters;
 - (3) Seek non-coerced agreement between the parties on procedural and discovery matters;
 - (4) Avoid all delays not dictated by a competent presentation of a client's claims;
 - (5) Prevent misuses of court time by verifying the availability of key participants for scheduled appearances before the court and by being punctual; and
 - (6) Advise clients about the obligations of civility, courtesy, fairness, cooperation, and other proper behavior expected of those who use our systems of justice.
- B. To model for others the respect due to our courts. As a professional, I should:

- (1) Act with complete honesty;
- (2) Know court rules and procedures;
- (3) Give appropriate deference to court rulings;
- (4) Avoid undue familiarity with members of the judiciary;
- (5) Avoid unfounded, unsubstantiated, or unjustified public criticism of members of the judiciary;
- (6) Show respect by attire and demeanor;
- (7) Assist the judiciary in determining the applicable law; and
- (8) Seek to understand the judiciary's obligation of informed and impartial decision-making.

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LOCAL PRACTICES IN ADOPTION CASES

A. Filing with the Clerk of Court:

- (1) Pursuant to O.C.G.A. § 19-8-14(b), the Clerk of Court shall accept a Petition for Adoption for filing if the proper filing fee is tendered with the Petition. As a courtesy to attorneys, at the attorney's request, the law clerk for the Judge to whom the case is assigned will review a Petition prior to its being filed with the Clerk, and will get back to the attorney within forty-eight (48) hours to discuss any necessary amendments or supplements to the Petition.
- (2) If the Petition is filed with the Clerk before it is reviewed by the Judge's law clerk, the Clerk of Court will forward a copy of the Petition and all attachments thereto to the Judge's office immediately. Upon prompt review of the Petition and attachments, the Judge's office will supply the Clerk of Court with a Rule Nisi within fifteen (15) days of the Petition's filing date, to ensure that the Clerk has sufficient time to forward a copy of the Petition, attachments and Rule Nisi to the Department of Human Resources as required by O.C.G.A. §19-8-14(g).

- B. Hearing Date: Pursuant to O.C.G.A. § 19-8-14, unless the Petitioner files a written request for an expedited final hearing, the Judge's office will schedule the final hearing on a date no less than forty-five (45) and no more than one hundred twenty (120) days from the date the Petition is filed with the Clerk of Court. The hearing will be held within that time period unless the Petitioner has failed to arrange for the Court to receive the report required by O.C.G.A. § 19-8-16, or has otherwise failed to provide the Court with all exhibits, surrenders, or certificates required by Title 19, Chapter 8 within that time period.

C. Review of Petition (After Filing):

- (1) Timely Review: Once the Clerk of Court has delivered a copy of the Petition and attachments to the Judge's office, the law clerk will promptly review the Petition for statutory compliance.

- Please note that in cases where there is no legal father of the child and the biological father has signed surrender, it is the better practice to provide the Court with a certificate from the Putative Father Registry.

- (2) Problems with Statutory Compliance:

- a. If there are issues with statutory compliance and they are not significant, the Judge's law clerk will send a letter to the attorney for the Petitioner with helpful information.
- b. If the problems are significant, the Judge may send out a letter informing the attorney for the Petitioner that the Court is appointing a special master, whose fees shall be paid by the Petitioner's attorney, to address the problems with the Petition. A copy of the order appointing a special master will be sent to the Petitioner(s).

- D. Investigations: If an investigation is ordered, the Judge's office will provide a copy of the report to the Petitioner's attorney

prior to the hearing in accordance with O.C.G.A. §19-8-16(a).

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DOMESTIC RELATIONS CASE INITIATION FORMS

In accordance with the Method of Case Assignment Order of the Superior Court for the Northeastern Judicial Circuit, O.C.G.A. §§ 9-11-3 and 9-11-133 and Rule 39.2.1 of the Uniform Rules of the Superior Court of Georgia, the Clerks of the Superior Court of Dawson and Hall Counties shall require the plaintiffs or petitioners in domestic relations cases to complete and file the appropriate Domestic Relations Case Filing Information Forms. Failure of a plaintiff or petitioner to abide by this requirement could result in the case of the plaintiff or petitioner being dismissed. For the purposes of this paragraph, the appropriate Domestic Relations Case Filing Information Form must be completed and filed in the following domestic relations case types:

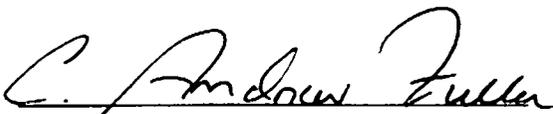
- Divorce (includes annulment) Separate Maintenance Adoption
- Paternity (includes legitimation)
- Interstate Support Enforcement Action Domestication of Foreign Custody Decree
- Family Violence Act Petition Modification:
 - Custody and/or Visitation
 - Child Support and/or Alimony Contempt
 - Custody and/or Visitation
 - Child Support and/or Alimony

Photocopies of the required Domestic Relations Case Filing Information Form and Domestic Relations Case Final Disposition Information Form are attached hereto, marked "# 2 and #3", and are incorporated herein by reference thereto.

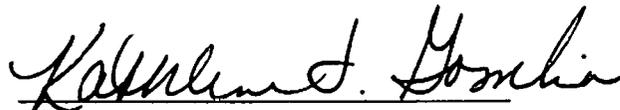
All parties are ordered to read and comply with this Standing Order for Domestic Relations Cases.

Plaintiff shall be responsible for serving the Defendant with a copy of this Order and filing proof of the service with the Clerk of Superior Court.

IT IS SO ORDERED this 31 day of December, 2010.



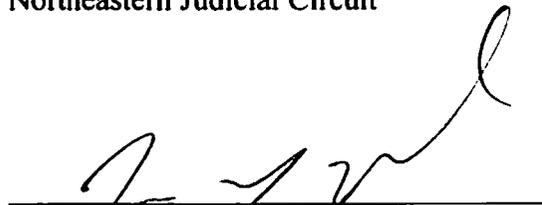
C. Andrew Fuller
Chief Judge, Superior Court
Northeastern Judicial Circuit



Kathlene F. Gosselin
Judge, Superior Court
Northeastern Judicial Circuit



Bonnie C. Oliver
Judge, Superior Court
Northeastern Judicial Circuit



Jason J. Deal
Judge, Superior Court
Northeastern Judicial Circuit

NORTHEASTERN JUDICIAL CIRCUIT
Hall and Dawson Counties

Standing Order
For Domestic Relations Cases

EXHIBITS

- A. Domestic Relations Financial Affidavit
- B. Uniform Superior Court Rule 24.2
- C. Parenting Plan

In the Superior Court of _____ 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 (total) **\$ _____**

A. AFFIANT'S NET MONTHLY INCOME from employment
(deducting only state and federal taxes and FICA) \$ _____

Affiant's pay period (i.e., weekly, bi-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:	\$ _____	_____	_____	_____

Exhibit "A"

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.)	
		Gasoline and oil	\$ _____
Repairs and maintenance:	\$ _____	Repairs	\$ _____
Lawn Care	\$ _____	Tags and license	\$ _____
Pest Control	\$ _____	Insurance	\$ _____

CHILDREN'S EXPENSES

Child care (total monthly cost)	\$ _____
School tuition	\$ _____
Tutoring	\$ _____
Private lessons (e.g., music, dance)	\$ _____

AFFIANT'S OTHER EXPENSES

Dry cleaning/laundry	\$ _____
Clothing	\$ _____
Medical, dental, prescription (out of pocket/uncovered expenses)	\$ _____

		Affiant's gifts (special holidays)	\$ _____
School supplies/expenses	\$ _____	Entertainment	\$ _____
Lunch Money	\$ _____	Recreational Expenses (e.g., fitness)	\$ _____
Other Educational Expenses (list)		Vacations	\$ _____
_____	\$ _____	Travel Expenses for Visitation	\$ _____
_____	\$ _____	Publications	\$ _____
Allowance	\$ _____	Dues, clubs	\$ _____
Clothing	\$ _____	Religious and charities	\$ _____
Diapers	\$ _____	Pet expenses	\$ _____
Medical, dental, prescription (out of pocket/uncovered expenses)	\$ _____	Alimony paid to former spouse	\$ _____
Grooming, hygiene	\$ _____	Child support paid for other children	\$ _____
Gifts from children to others	\$ _____	Date of initial order: _____	
Entertainment	\$ _____	Other (attach sheet)	\$ _____
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):	\$ _____		
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

24.2. Financial data required; scheduling and notice of temporary hearing.

Except as noted below, at least fifteen (15) days before any temporary or final hearing in any action for temporary or permanent child support, alimony, equitable division of property, modification of child support or alimony or attorneys fees, the party requesting such hearing shall file with the Clerk of Court and serve upon the opposing party the affidavit specifying his or her financial circumstances in the form set forth herein. In cases involving child support, the worksheet and schedules required by O.C.G.A. § 19-6-15 and only as promulgated by the Georgia Child Support Commission, shall be completed insofar as possible and filed with the clerk and shall be served upon the opposing party contemporaneously with the filing of the affidavit required above. In emergency actions, the affidavit, worksheet and schedules may be filed and served on or before the date of the hearing or at such other time as the Court orders.

In cases filed with complete separation agreements or consent orders resolving all issues but the issue of divorce, the parties are not required to file financial affidavits, unless otherwise ordered by the Court. In cases involving child support the parties must attach to the proposed final judgment a completed worksheet and any applicable schedules. In addition, the separation agreement must include the parties' gross and adjusted incomes.

The Office of Child Support Services is exempt from filing financial affidavits.

Notice of the date of any temporary hearing shall be served upon the adverse party at least 15 days before the date of the hearing, unless otherwise ordered by the Court.

Within five (5) days of service of the affidavit and worksheet and schedules (where applicable) unless the court shortens or enlarges the time, the opposing party shall file with the clerk and serve upon the other party the affidavit specifying his or her financial circumstances in the form set forth herein and the worksheet and schedules, completed insofar as possible.

The parties shall file with the clerk and serve upon each other the affidavit and worksheet and schedules (where applicable) at least ten (10) days prior to any court-ordered mediation or other alternative dispute resolution proceeding.

In any case in which a party has previously filed and served the affidavit, worksheet and schedules and thereafter amends the affidavit or worksheet and schedules, any such amendments shall be served upon the opposing party at least 10 days prior to final hearing or trial and shall be filed with the Clerk of Court at or before trial.

On the request of either party, and upon good cause shown to the Court, the affidavits, worksheets, schedules, and any other financial information may be sealed, upon order of the Court.

No social security numbers or account numbers shall be included in any document filed with the Court pursuant to this rule. Each account shall be specified by financial institution and a partial account number. No party shall be required to include full account numbers.

Failure of any party to furnish the above financial information, in the discretion of the Court, may subject the offending party to the penalties of contempt and may result in continuance of the hearing until such time as the required financial information is furnished or such other sanctions or remedies deemed appropriate in the Court's discretion.

Notwithstanding the time limits contained in this rule, the Court may decide a matter without strict adherence to a time limitation, if the financial information was known or reasonably available to the other party, or if a continuance would result in a manifest injustice to a party.

The affidavit shall be under oath and in substantially the following form (EXHIBIT A):

Exhibit "B"

Rule 24.10. Parenting Plans

In all cases involving permanent custody or custody modification (except when a parent seeks emergency relief for family violence), each parent shall prepare and submit a parenting plan, or the parties may jointly submit a parenting plan, as directed by the judge.

The parenting plan should be tailored to fit the needs of each individual family but must at a minimum contain the information required by OCGA section 19-9-1 (b) and be presented in substantially the following form:

[FORM FOLLOWS]

 COUNTY SUPERIOR COURT
 STATE OF GEORGIA

)	
)	
Plaintiff,)	Civil Action
)	
vs.)	Case Number _____
)	
)	
Defendant.)	

PARENTING PLAN

() The parties have agreed to the terms of this plan and this information has been furnished by both parties to meet the requirements of OCGA Section 19-9-1. The parties agree on the terms of the plan and affirm the accuracy of the information provided, as shown by their signatures at the end of this order.

() This plan has been prepared by the judge.

This plan () is a new plan.
 () modifies an existing Parenting Plan dated _____.
 () modifies an existing Order dated _____.

Child's Name	Date of Birth

I. Custody and Decision Making:

A. Legal Custody shall be (choose one):

- () with the Mother
- () with the Father
- () Joint

B. Primary Physical Custodian

For each of the children named below the primary physical custodian shall be:

	d/o/b:	() Mother	() Father	() Joint
	d/o/b:	() Mother	() Father	() Joint
	d/o/b:	() Mother	() Father	() Joint
	d/o/b:	() Mother	() Father	() Joint
	d/o/b:	() Mother	() Father	() Joint
	d/o/b:	() Mother	() Father	() Joint

WHERE JOINT PHYSICAL CUSTODY IS CHOSEN BY THE PARENTS OR ORDERED BY THE COURT, A DETAILED PLAN OF THE LIVING ARRANGEMENTS OF THE CHILD(REN) SHALL BE ATTACHED AND MADE A PART OF THIS PARENTING PLAN.

C. Day-To-Day Decisions

Each parent shall make decisions regarding the day-to-day care of a child while the child is residing with that parent, including any emergency decisions affecting the health or safety of a child.

D. Major Decisions

Major decisions regarding each child shall be made as follows:

Educational decisions	<input type="checkbox"/> mother	<input type="checkbox"/> father	<input type="checkbox"/> joint
Non-emergency health care	<input type="checkbox"/> mother	<input type="checkbox"/> father	<input type="checkbox"/> joint
Religious upbringing	<input type="checkbox"/> mother	<input type="checkbox"/> father	<input type="checkbox"/> joint
Extracurricular activities	<input type="checkbox"/> mother	<input type="checkbox"/> father	<input type="checkbox"/> joint
_____	<input type="checkbox"/> mother	<input type="checkbox"/> father	<input type="checkbox"/> joint
_____	<input type="checkbox"/> mother	<input type="checkbox"/> father	<input type="checkbox"/> joint

E. Disagreements

Where parents have elected joint decision making in Section I.D above, please explain how any disagreements in decision-making will be resolved.

II. Parenting Time/Visitation Schedules

A. Parenting Time/Visitation

During the term of this parenting plan the non-custodial parent shall have at a minimum the following rights of parenting time/ visitation (choose an item):

- The weekend of the first and third Friday of each month.
- The weekend of the first, third, and fifth Friday of each month.
- The weekend of the second and fourth Friday of each month.
- Every other weekend starting on _____.
- Each _____ starting at _____ a.m./p.m. and ending _____ a.m./p.m.
- Other: _____
- and weekday parenting time/ visitation on (choose an item):
 - None
 - Every Wednesday Evening
 - Every other Wednesday during the week prior to a non-visitation weekend.
 - Every _____ and _____ evening.

() Other: _____

For purposes of this parenting plan, a weekend will start at _____ a.m./p.m. on [Thursday / Friday / Saturday / Other: _____] and end at _____ a.m./p.m. on [Sunday / Monday / Other: _____].

Weekday visitation will begin at _____ a.m./p.m. and will end [__p.m. / when the child(ren) return(s) to school or day care the next morning / Other:_____].

This parenting schedule begins:

() _____ OR () date of the Court's Order
(day and time)

B. Major Holidays and Vacation Periods

Thanksgiving

The day to day schedule shall apply unless other arrangements are set forth: _

_____ beginning _____.

Winter Vacation

The () mother () father shall have the child(ren) for the first period from the day and time school is dismissed until December _____ at _____ a.m./p.m. in () odd numbered years () even numbered years () every year. The other parent will have the child(ren) for the second period from the day and time indicated above until 6:00 p.m. on the evening before school resumes. Unless otherwise indicated, the parties shall alternate the first and second periods each year.

Other agreement of the parents:

Summer Vacation

Define summer vacation period:

The day to day schedule shall apply unless other arrangements are set forth:

_____ beginning _____.

Spring Vacation (if applicable)

Define: _____

The day to day schedule shall apply unless other arrangements are set forth:

_____ beginning _____.

Fall Vacation (if applicable)

Define: _____

The day to day schedule shall apply unless other arrangements are set forth:

_____ beginning _____.

C. Other Holiday Schedule (if applicable)

Indicate if child(ren) will be with the parent in ODD or EVEN numbered years or indicate EVERY year:

	MOTHER	FATHER
Martin Luther King Day	_____	_____
Presidents' Day	_____	_____
Mother's Day	_____	_____
Memorial Day	_____	_____
Father's Day	_____	_____
July Fourth	_____	_____
Labor Day	_____	_____
Halloween	_____	_____
Child(ren)'s Birthday(s)	_____	_____
Mother's Birthday	_____	_____
Father's Birthday	_____	_____
Religious Holidays:	_____	_____

Other: _____	_____	_____
	_____	_____
	_____	_____
Other: _____	_____	_____
Other: _____	_____	_____
	_____	_____

D. Other extended periods of time during school, etc. (refer to the school schedule)

E. Start and end dates for holiday visitation

For the purposes of this parenting plan, the holiday will start and end as follows (choose one):

- Holidays that fall on Friday will include the following Saturday and Sunday
- Holidays that fall on Monday will include the preceding Saturday and Sunday
- Other: _____

F. Coordination of Parenting Schedules

Check if applicable:

The holiday parenting time/visitation schedule takes precedence over the regular parenting time/visitation schedule.

When the child(ren) is/are with a parent for an extended parenting time/visitation period (such as summer), the other parent shall be entitled to visit with the child(ren) during the extended period, as follows:

G. Transportation Arrangements

For visitation, the place of meeting for the exchange of the child(ren) shall be:

The _____ will be responsible for transportation of the child at the beginning of visitation.

The _____ will be responsible for transportation of the child at the conclusion of visitation.

Transportation costs, if any, will be allocated as follows:

Other provisions: _____

H. Contacting the child

When the child or children are in the physical custody of one parent, the other parent will have the right to contact the child or children as follows: _

Telephone

Other: _____

Limitations on contact:

I. Supervision of Parenting Time (if applicable)

Check here if Applicable

Supervised parenting time shall apply during the day-to-day schedule as follows:

Place: _____

Person/Organization supervising: _____

Responsibility for cost:

mother father both equally

J. Communication Provisions

Please check:

Each parent shall promptly notify the other parent of a change of address, phone number or cell phone number. A parent changing residence must give at least 30 days notice of the change and provide the full address of the new residence.

Due to prior acts of family violence, the address of the child(ren) and victim of family violence shall be kept confidential. The protected parent shall promptly notify the other parent, through a third party, of any change in contact information necessary to conduct visitation.

III. Access to Records and Information

Rights of the Parents

Absent agreement to limitations or court ordered limitations, pursuant to O.C.G.A. § 19-9-1 (b) (1) (D), both parents are entitled to access to all of the child(ren)'s records and information, including, but not limited to, education, health, extracurricular activities, and religious communications. Designation as a non-custodial parent does not affect a parent's right to equal access to these records.

Limitations on access rights:

Other Information Sharing Provisions:

IV. Modification of Plan or Disagreements

Parties may, by mutual agreement, vary the parenting time/visitation; however, such agreement shall not be a binding court order. Custody shall only be modified by court order.

Should the parents disagree about this parenting plan or wish to modify it, they must make a good faith effort to resolve the issue between them.

V. Special Considerations

Please attach an addendum detailing any special circumstances of which the Court should be
Exhibit "C"

aware (e.g., health issues, educational issues, etc.)

VI. Parents' Consent

Please review the following and initial:

1. We recognize that a close and continuing parent-child relationship and continuity in the child's life is in the child's best interest.

Mother's Initials: _____ Father's Initials: _____

2. We recognize that our child's needs will change and grow as the child matures; we have made a good faith effort to take these changing needs into account so that the need for future modifications to the parenting plan are minimized.

Mother's Initials: _____ Father's Initials: _____

3. We recognize that the parent with physical custody will make the day-to-day decisions and emergency decisions while the child is residing with such parent.

Mother's Initials: _____ Father's Initials: _____

() We knowingly and voluntarily agree on the terms of this Parenting Plan. Each of us affirms that the information we have provided in this Plan is true and correct.

Father's Signature

Mother's Signature

ORDER

The Court has reviewed the foregoing Parenting Plan, and it is hereby made the order of this Court.

This Order entered on _____, 20____.

JUDGE

COUNTY SUPERIOR COURT

NORTHEASTERN JUDICIAL CIRCUIT
Hall and Dawson Counties

Standing Order
For Domestic Relations Cases

OTHER FORMS

- D. Checklist for Divorce by Verified Petition & Affidavit**
- E. Domestic Relations Case Filing Information Form**
- F. Domestic Relations Case Final Disposition Information Form**

IN THE SUPERIOR COURT OF HALL AND DAWSON COUNTY

STATE OF GEORGIA

_____, §
PLAINTIFF, §

CIVIL ACTION FILE NUMBER:

VS. §

_____, §
DEFENDANT.

**NORTHEASTERN JUDICIAL CIRCUIT CHECKLIST FOR
DIVORCE BY VERIFIED PETITION AND AFFIDAVIT**

- _____ The parties have reached a written settlement agreement which has been filed with the Court.
- _____ If there has been a demand for jury trial, the demand for jury trial has been withdrawn.
- _____ An affidavit of petitioner or the respondent on counterclaim which properly sets out matters regarding jurisdiction, venue, and grounds for divorce. This affidavit must contain a statement that the petitioner/respondent is not currently pregnant.
- _____ An Agreement To Try at first term is included, if applicable. If not applicable, place N/A in the place to be checked.
- _____ As Attorney for the _____ (Plaintiff/Defendant), I state in my place that the above conditions for the granting of a Divorce By Affidavit has been complied with in full.

This the _____ day of _____, _____.

(Address / Phone)

Attorney's Name
Bar Number _____
Attorney For _____

IN THE SUPERIOR COURT OF HALL AND DAWSON COUNTY

STATE OF GEORGIA

_____, §
PLAINTIFF, § CIVIL ACTION FILE NUMBER:

VS. §
_____, §
DEFENDANT.

AFFIDAVIT

Personally appeared before the undersigned officer, an officer duly authorized by law to administer oaths, who, after being duly sworn, on oath, states that the facts contained in the following Affidavit are true and correct.

1.

Affiant is the _____ in the above-styled case and this Affidavit is given in lieu of live testimony in Superior Court.

2.

The Affiant was a resident of the State of Georgia for more than six (6) months prior to filing the above complaint. At the time the petition was filed, the opposing party was a resident of _____ County, Georgia and was subject to the jurisdiction of this Court.

3.

The Affiant was legally married on _____, to the opposing party and they separated prior to the filing of the Complaint and are presently living in a bona fide state of separation.

4.

Affiant shows that _____ and _____ entered into an agreement as to the disposition of their property and other matters and this is satisfactory to _____ and _____ and they desire it to be incorporated into the Final Decree of Divorce.

5.

Affiant shows that she is not currently pregnant, and there are no minor children as a result of this marriage. (OR) Affiant shows that the opposing party is not pregnant, and there are no minor children as a result of this marriage.

6.

Affiant shows that _____ marriage is irretrievably broken as defined by Georgia Law and that there is no chance of reconciliation. Affiant further acknowledges and understands a final decree of divorce will be entered forthwith after the execution of this affidavit unless written notice is given to Affiant's attorney prior to the entry of the final decree.

FURTHER AFFIANT SAYETH NOT.

This _____ day of _____, 20____.
(To be executed within five (5) days prior to submission to Court for final decree.)

By: _____
Affiant's Name

Plaintiff or Defendant

Sworn to and subscribed before me
this the _____ day of
_____, 20 ____.

Notary Public

Presented by:

Name of Attorney
Georgia Bar Number: _____
Attorney Address: _____

Attorney Telephone: _____
Attorney for: _____

Domestic Relations Case Filing Information Form

Superior Court County _____ Date Filed _____
MM-DD-YYYY

Docket # _____
Plaintiff(s) Defendant(s)

Last First Middle I. Suffix Prefix Maiden

Plaintiff/Petitioner's Attorney Pro Se

Last First Middle I. Suffix

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

Domestic Relations Case Final Disposition Information Form

Superior Court County _____ Date Disposed _____
MM-DD-YYYY
 Docket # _____

Reporting Party _____
Last First Middle I. Suffix Prefix Maiden Title

Name of Plaintiff/Petitioner(s)

Name of Defendant/Respondent(s)

Last First Middle I. Suffix Prefix Maiden

Last First Middle I. Suffix Prefix Maiden

Plaintiff/Petitioner's Attorney Pro Se

Defendant/Respondent's Attorney Pro Se

Last First Middle I. Suffix

Last First Middle I. Suffix

Bar # _____

Bar # _____

Type of Disposition (Check all that apply)

1. Dismissed Without Final Order
 - A. Voluntary (by parties)
 - B. Involuntary (by court)
2. Pre-Trial Settlement
3. Judgment on the Pleadings
4. Summary Judgment
5. Trial
 - A. Bench Trial
 - B. Jury Trial
 1. Dismissal after jury selected
 2. Settlement during trial
 3. Judgment on Verdict
 4. Directed Verdict or JNOV

ADR

1. Was mediation utilized? Yes No
2. If Yes, was it (check if applicable)
 - court annexed?
 - court mandated?
3. Binding Arbitration Agreement Yes No

If Yes, what matters were subject:

 - Child Custody
 - Visitation/Parenting Time
 - Parenting Plan

Relief Granted (Check all that apply)

1. Ex Parte Relief
2. Temporary Relief
3. Final Relief
 - a. Divorce/Annulment/Separate Maintenance
 - b. Child Custody

Parenting Plan? Yes No

Custodial Arrangement? Yes No

If Yes, check one:

 - Joint Custody
 - Joint Legal Custody
 - Joint Physical Custody
 - Sole Custody to: _____

14 year old parental selection? Yes No
 - c. Visitation or Parenting Time

Approx. Parenting Time (days per year)

Mother _____ Father _____

Parenting Time Contested? Yes No
 - d. Child Support

Forms attached? Yes No
 - e. Legitimation/Paternity
 - f. Alimony
 - g. Contempt
 - h. Equitable Division
 - i. Protective Order
 - Person Property
 - Finding of Family Violence?
 - j. Adoption
 - k. Attorneys Fees?

If Yes, enter amount: _____

to whom: _____
 - l. Other (Specify) _____
4. Dismissed prior to granting of relief.