WHICH DIVORCE FORMS DO I NEED

****PRO-SE MEANS YOU ARE ACTING AS YOUR OWN ATTORNEY. GA LAW O.C.G.A. 15-19-51 RESTRICTS COURT PERSONNEL FROM GIVING LEGAL ADVICE OR AIDING YOU IN ANY WAY WITH YOU PAPERWORK****

You will need the **UNCONTESTED** divorce forms if both of the following statements are true:

1. I know where my spouse lives.
2. My spouse and I are willing to sign a settlement agreement that resolves all the issues involved in ending in marriage.

You will need the **CONTESTED** divorce packet if either of the following two statements is true:

1. I do not know where my spouse lives.
2. Either my spouse or I is unwilling or unable to sign a settlement agreement that resolves all the issues involved in ending marriage.

****IF YOU HAVE MINOR CHILDREN, BOTH PARTIES MUST COMPLETE A MANDATORY PARENTING SEMINAR THAT IS SET BY THE CLERKS OFFICE OR CAN BE DONE ONLINE WITH JUDGE'S PERMISSION****

You may use the following website to obtain the necessary forms for you divorce:

www.southernjudicialcircuit.com

- Click Self Help forms
- Click Family Law

FOR ALL FILING FEES (INCLUDING SHERIFF SERVICES), PLEASE INQUIRE WITH CLERK'S OFFICE

If you do not have the funds for the filing fee, you may file a Pauper's Affidavit that a Superior Court Judge must approve BEFORE filing. You may ask a clerk's office employee at the Hart County Clerk of Superior Court office for Pauper's Affidavit packet. Please note that in determining eligibility, the judge will consider the "Poverty Guidelines and Standards for Determining Indigence" form.

The Judge with need the following information:

1. Gross Income
2. Family size
3. Court ordered child support or alimony
4. Pay stub

Please make sure all of the following have been completed and included in your packet. Each divorce is a unique and personal matter. Not all information contained within this packet may apply to your situation or you may need to include additional information as requested specific to your divorce. Please read and follow all instructions carefully.

ALL BLANKS MUST BE FILLED IN COMPLETELY.
ALL SIGNATURE PLACES MUST BE SIGNED AND NOTARIZED AS REQUIRED.
ALL PAPERWORK MUST BE INCLUDED ALONG WITH ANY ADDITIONAL EVIDENCE NECESSARY.

UNCONTESTED DIVORCE WITH MINOR CHILDREN

CHECKLIST:

- Domestic Relations Case Filing Information Form
- Domestic Relations Case Filing Final Disposition Form
- Complaint for Divorce with Verification
- Settlement Agreement
- Consent to Trial
- Defendant's Acknowledgment of Service and Summons
- Defendant's Acknowledgment of Service Affidavit of Waiver of Venue or Sheriff's Service (only if Defendant is not a resident of the County of filing)
- Domestic Relations Financial Affidavit of Plaintiff
- Domestic Relations Financial Affidavit of Defendant
- Child Support Worksheet www.georgiacourts.org/csc
  Click on Downloadable Excel Calculators / Select a worksheet to use
- Parenting Plan
- Final Judgment and Decree with Child Support Addendum
- Vital Records Form

THE CLERK'S OFFICE WILL PROVIDE THE BELOW LISTED FORMS:

- Pro-Se Litigants Affidavit
- Notice of Hearing
- Standing Order for Domestic Relations Cases
- Mandatory Parenting Seminar (After each party attends, The Clerk's Office will need the Proof of Attendance by both parties)

UNCONTESTED DIVORCE WITH NO MINOR CHILDREN

CHECKLIST:

- Domestic Relations Case Filing Information Form
- Domestic Relations Case Filing Final Disposition Form
- Complaint for Divorce with Verification
- Settlement Agreement
- Consent to Trial
- Defendant's Acknowledgment of Service and Summons
- Defendant's Acknowledgment of Service Affidavit of Waiver of Venue or Sheriff's Service (only if Defendant is not a resident of the County of filing)
- Domestic Relations Financial Affidavit of Plaintiff
  (not necessary if there is no provision for alimony or property division in the settlement agreement)
- Domestic Relations Financial Affidavit of Defendant
  (not necessary if there is no provision for alimony or property division in the settlement agreement)
- Final Judgment and Decree with Child Support Addendum
- Vital Records Form

THE CLERK'S OFFICE WILL PROVIDE THE BELOW LISTED FORMS:

- Pro-Se Litigants Affidavit
- Notice of Hearing
- Standing Order for Domestic Relations Cases

CONTESTED DIVORCE WITH MINOR CHILDREN

CHECKLIST:

- Domestic Relations Case Filing Information Form
- Domestic Relations Case Filing Final Disposition Form
- Complaint for Divorce with Verification
- Domestic Relations Financial Affidavit of Plaintiff
- Domestic Relations Financial Affidavit of Defendant
- Child Support Worksheet www.georgiacourts.org/csc
  Click on Downloadable Excel Calculators / Select a worksheet to use
- Parenting Plan
- Final Judgment and Decree with Child Support Addendum
- Vital Records Form

THE CLERK'S OFFICE WILL PROVIDE THE BELOW LISTED FORMS:

- Pro-Se Litigants Affidavit
- Notice of Hearing
- Standing Order for Domestic Relations Cases
- Mandatory Parenting Seminar (After each party attends, The Clerk's Office will need the Proof of Attendance by both parties)

CONTESTED DIVORCE WITH NO MINOR CHILDREN

CHECKLIST:

- Domestic Relations Case Filing Information Form
- Domestic Relations Case Filing Final Disposition Form
- Complaint for Divorce with Verification
- Domestic Relations Financial Affidavit of Plaintiff
  (not necessary if there is no provision for alimony or property division in the settlement agreement)
- Domestic Relations Financial Affidavit of Defendant
  (not necessary if there is no provision for alimony or property division in the settlement agreement)
- Final Judgment and Decree with Child Support Addendum
- Vital Records Form

THE CLERK'S OFFICE WILL PROVIDE THE BELOW LISTED FORMS:

- Pro-Se Litigants Affidavit
- Notice of Hearing
- Standing Order for Domestic Relations Cases

Uniform Superior Court Rule

24.6 Uncontested divorce actions

Uncontested divorce actions may be heard at times agreeable to counsel and the court, subject to the following rules:

(A) By the written consent of both parties to a hearing, a divorce may be granted any time 31 days after service or filing acknowledgment of service.

(B) In an unanswered action, a divorce may be granted any time 46 days after service, unless the time for response has been extended by court order.

(C) A divorce action served by publication may be granted any time suitable to the judge and attorneys 61 days or more after date of the first publication.

(D) All divorce actions with orders for publication or acknowledgments of service should be filed prior to or contemporaneously with the signing of the order or acknowledgment.