

FILING CHECKLIST FOR DIVORCE WITH MINOR CHILDREN

Divorce packet:

The Divorce Packet for Divorce with Minor Children that you obtain from the Law Library should include the following documents, many of which are necessary in completing your case. Read the checklist carefully to see which forms you need. There is a star (*) beside the forms that are needed in every case.

- 1) ****Domestic Relations Case Filing Information Form*** (Plaintiff shall complete, sign and file.)
- 2) ****Complaint for Divorce*** (Plaintiff shall complete, sign and file.)
- 3) ****Verification*** (Plaintiff shall complete, sign and file.)
- 4) ***Rule Nisi with Certificate of Service*** (Plaintiff shall complete, sign and file. This form is filed if you need a hearing on temporary issues before the final hearing.)
- 5) ***Settlement Agreement*** (Both Plaintiff and Defendant complete, sign, have notarized and file. This form is required if you both agree on everything and do not want a trial.)
- 6) ****Service of Process***. Your spouse has to be notified that you have filed for divorce. There are three ways to do this, depending on your situation. Read the explanation beside a, b and c and decide which one will work best in your situation.
 - a. ***Acknowledgment of Service, Consent to Venue and Jurisdiction and Consent to Trial***
[Use this form if: 1) you can give all the papers to your spouse, 2) your spouse consents to file the case in the county you plan to file in, 3) your spouse wants to get a final order quickly, 4) you and your spouse do not need a trial because you are both willing to sign a written Settlement Agreement that deals with dividing up your belongings and debts (or states that you both agree you have no joint belongings or debts.); OR
 - b. ***Summons and Certificate of Service*** (If your spouse will not sign the Acknowledgement of Service listed above, then the Sheriff will have to serve your papers to your spouse); OR
 - c. ***Service by Publication*** forms (If you cannot find your spouse even after trying your best to find him or her you can ask the Judge for permission to let you serve by publication.)

- 7) ****Domestic Relations Financial Affidavits*** (Both spouses shall complete, sign in front of a Notary and file.)
- 8) ****Child Support Worksheet*** (Both Plaintiff and Defendant shall complete, initial each page, and file a joint worksheet if they have signed a Settlement Agreement. If no Settlement Agreement is being filed, each party shall complete, initial each page, and file separate Child Support Worksheets. Child Support Worksheets MUST be filed before the judge can sign your Final Order. You can find the online child support worksheet calculator here: <http://www.georgiacourts.org/csc>. Your judge may order you to have Child Support Enforcement create a child support order for you. If that happens, Child Support Enforcement will do your Child Support Worksheet.)
- 9) ****Child Support Order Addendum*** (Both Plaintiff and Defendant shall complete, sign and place in file. The Judge will sign and file.)
- 10) ****Income Deduction Order*** (Custodial parent completes and places in file; Judge signs and files.) Please note that there are other forms that go with the Income Deduction Order that are not signed by a judge which required. See <http://ido.georgiacourts.gov/>. Your judge may order you to have Child Support Enforcement create a child support order for you. If that happens, Child Support Enforcement will do your Income Deduction Order papers for you.
- 11) ****Proof of Income*** (Both Plaintiff and Defendant must file Proof of Income. Proof of Income includes documents such as tax returns, paycheck stubs, government benefits verification letters, etc.)
- 12) ****Parenting Plan*** (Both Plaintiff and Defendant shall complete, sign and file in the Clerk's Office. The Judge will sign and file the final copy.)
- 13) ****Certificate from the Seminar for Divorcing Parents*** (Within 30 days of filing your case, both Plaintiff and Defendant shall complete the Seminar for Divorcing Parents. For more information about the class go to www.puttingkidsfirst.org. In cases of domestic violence you can ask the judge to waive this requirement.)

- 14) ***Request to Place Case on Trial Calendar*** (Either Plaintiff or Defendant can use this form. Be sure to file a Certificate of Service with this form and deliver both forms to your spouse.)
- 15) ***Notice of Hearing*** (Either Plaintiff or Defendant can use this form. Be sure to file a Certificate of Service with this form and deliver both forms to your spouse.)
- 16) ****Final Judgment and Decree of Divorce*** (Plaintiff completes and places in file; Judge signs and files.)
- 17) ****Domestic Relations Case Disposition Information Form*** (Plaintiff completes and files.)
- 18) ****State of Georgia Report of Divorce, Annulment or Dissolution of Marriage*** (Plaintiff completes and files.)