
COUNTY SUPERIOR COURT
STATE OF GEORGIA
APPALACHIAN JUDICIAL CIRCUIT

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

**DOMESTIC RELATIONS STANDING ORDER AS TO ISSUES OF DIVORCE,
ALIMONY, CHILD SUPPORT, PARENTING PLANS, CHILD CUSTODY, AND OTHER
MATTERS FOR ALL DOMESTIC CASES FILED ON OR AFTER JANUARY 2, 2017**

The following order shall apply to all domestic matters filed on or after January 2, 2017, in the Appalachian Judicial Circuit (Fannin, Gilmer, and Pickens counties):

Uniform Rule for the Superior Courts 1.2, *as amended*, provides that courts may continue to maintain standing orders regarding certain “internal processes” and other specified matters. Pursuant to O.C.G.A. § 19-1-1(b) and O.C.G.A. § 9-11-65(e), the court hereby orders that this order shall apply to all domestic relations actions, as defined in O.C.G.A. § 19-1-1(a), upon filing. The **PARTY FILING THE ACTION** shall complete the standing order by inserting the names of the parties and the case number, and shall file the order with the case.

When domestic relations actions are filed that require service by the sheriff or by publication, the **PARTY FILING THE ACTION** shall attach copies of the filed standing order to the original and service copies of the action.

When domestic relations actions are filed with an acknowledgment of service, the **PARTY FILING THE ACTION** shall attach a copy of the filed standing order to the original complaint and give or mail a copy of the filed standing order to the defendant and file a Certificate of Service.

This Standing Order binds the parties in the above-styled action, their agents, servants, employees, and all other persons acting in concert with such parties.

Each party is hereby enjoined and restrained from unilaterally causing or permitting the minor child(ren) of the parties to be removed from the **jurisdiction of this court** without permission of the court, except in an emergency affecting the health, safety, or welfare of the child(ren). An exception is children are permitted to be removed from the jurisdiction for customary activities like camps, extracurricular activities, or family vacations to which both parties agree were planned in advance of filing and dates/accommodations are provided to the opposing party and/or his/her counsel, in writing, reasonably in advance of the travel.

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, or which may, constitute threats, harassment, or stalking of the adverse party or the child(ren) of the parties, or any act which constitutes a violation of other civil or criminal laws of this state.

If this is an action for divorce or separate maintenance, neither party shall sell, mortgage, create a lien upon, increase the amount of debt secured by, encumber, trade, damage, destroy, contract to sell, or otherwise dispose of or remove from the jurisdiction of this court any property or pets in which either party has an interest, or make any substantial change in the assets of either party. The foregoing is not intended to prohibit transactions in the ordinary course of business affairs for fair value, for example, payment of routine household expenses, mortgage payments,

payments for attorney's fees, etc. Neither party shall disconnect or have disconnected any utility providing service to the home of the other party. Neither party shall change, have changed, cancel or have canceled any motor vehicle, property, health, life or other insurance presently in effect which protects the parties or any of their children or property. Neither party shall interfere with the mail of the other party or any child of the other party.

Mediation in Contested Cases

Mediation or participation in a Judicially Hosted Settlement Conference will be required in all unresolved actions for divorce, separate maintenance, legitimation, and modification of custody/visitation, child support (except Child Support Enforcement Actions), and alimony filed within this circuit.

Mediation or participation in a Judicially Hosted Settlement Conference will be required in all other contested domestic civil cases.

No final contested hearing shall be scheduled until the parties provide proof of participation in mediation or Judicially Hosted Settlement Conference unless the court specifically orders otherwise.

Mediation is NOT required in contempt cases.

Mediation is NOT required in cases in which domestic violence is alleged unless the case is specifically assigned by the court to a qualified mediator.

Motion for Final Decree without Evidentiary Hearing

In divorce cases in which there are no minor children and in which the parties have executed a written agreement, settling all issues and waived their right to a jury trial, a "Motion for Final Decree of Divorce Without Evidentiary Hearing" may be filed by the parties. The Motion must substantially conform to the attached Motion for Final Decree of Divorce without

Evidentiary Hearing that is hereby incorporated by reference as **Exhibit "A."** A copy of the motion, the written agreement, and the original "Final Decree and Judgment," granting the divorce, along with documentation that the other party consents to the motion, shall be mailed or presented to the Judge's office for signature. The court may or may not grant the motion. The documents must be accompanied by a stamped, self-addressed envelope for mailing back to the appropriate party who shall be responsible for filing the original documents with the Clerk of court (if the court grants the motion), and serving all appropriate parties with copies of the signed documents. In the event the court does not grant the motion, all original documents will be returned to the moving party by the court with an order denying the motion.

Financial Affidavits and Child Support Worksheets & Schedules

Pursuant to Georgia Uniform Rule for the Superior Courts 24.1, the following shall apply:

Except as noted below, at least **5 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, all parties shall serve upon the opposing party the affidavit specifying his or her financial circumstances in the form set forth as **Exhibit "B."**

In cases involving child support, the worksheet and schedules required by OCGA § 19-6-15 and only as promulgated by the Georgia Child Support Commission shall be completed and served upon the opposing party contemporaneously with the filing of the affidavit required above. These forms may be found at <http://www.georgiacourts.org/csc>. In emergency actions, the affidavit, worksheet and schedules may be served on or before the date of the hearing or at any 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 serve 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.

The parties shall serve upon each other the affidavit and worksheet and schedules (where applicable) at least **5 days** prior to any mediation or other alternative dispute resolution proceeding.

In any case in which a party has previously 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 **5 days** prior to final hearing or 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 served or filed with the court pursuant to this rule. Each account shall be specified by financial institution and the last four digits of the account number. No party shall be required to include full account numbers. See also O.C.G.A. § 9-11-7.1.

A Certificate of Service shall be filed with the Clerk of Court certifying proper service of the affidavit required above and worksheet and schedules (where applicable). Each party shall submit to the court the original affidavit and worksheet and schedules (where applicable) at the time of hearing or trial.

Failure of any party to furnish the above financial information may subject the offending party, in the discretion of the court, to the penalties of contempt and may result in continuance of the hearing until the required financial information is furnished and may result in 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 filing of a Financial Affidavit, child support worksheet and schedules other than those described above shall not be deemed to satisfy the requirements of the law.

Both parties should bring copies of recent pay stubs, W-2 and/or 1099s from the past three previous calendar years to any temporary and/or final hearings where a Financial Affidavit shall be admitted into evidence or provided to the court for the court's consideration. The court may request additional documentation and/or consider a different period of time for determining average income upon hearing evidence, based upon what is reasonable to the circumstances of the case. *See* O.C.G.A. § 19-6-15(f).

In child support cases, both parties are required to bring copies of documents relating to insurance coverage for minor child(ren), including premiums paid for health insurance, dental insurance, and vision insurance.

If neither party has moved for a temporary hearing, the Defendant shall serve the other party with the Financial Affidavit, worksheet and schedules with the Answer to the Complaint or thirty (30) days after service of the Complaint, whichever occurs first.

Child Support Addendum

A Child Support Addendum, attached hereto as **Exhibit "C,"** is required in every case involving child support except contempt cases. The Child Support Addendum must be attached to all final orders and judgments determining the amount of child support. If the parties have reached an agreement, all parts of the Child Support Addendum must be completed.

The amount of child support to be paid must be determined pursuant to O.C.G.A. § 19-6-15 as noted above. The Child Support worksheet and supporting schedules must be completed, filed and submitted to the court as per O.C.G.A. § 19-6-1 and Uniform Rule for the Superior Courts 24.2 *as amended* and Uniform Rule for the Superior Courts 24.2A. The amount of child support to be paid must be the same amount shown on all forms.

Additionally, the availability of accident and sickness insurance coverage to either party should be discussed and language included concerning how the medical needs of the children will be paid. *See* O.C.G.A. § 19-6-29.

The paragraph concerning whether or not an Income Deduction Order will be entered must be inserted unless the court finds there is good cause not to require such immediate withholding or a written agreement is reached between both parties which provides for an alternative arrangement. *See* O.C.G.A. § 19-6-32. The Income Deduction Order must substantially conform to **Exhibit "D,"** which is incorporated by reference. It is recommended that an Income Deduction Order be entered unless the paying parent is self-employed. *See* O.C.G.A. § 19-6-33. **The submitting party is responsible for ensuring that the Income Deduction Order is the most current form by checking the website here: <http://ido.georgiacourts.gov/>.**

If the action is contested, the court shall complete the Child Support Order Addendum at the conclusion of the final hearing or direct the prevailing party to prepare said Addendum and attach it to the final order within ten (10) days of the hearing.

Parenting Plans

All parties filing actions involving permanent custody or custody modification (except when a parent seeks emergency relief for family violence) must comply with Uniform Rule for the Superior Courts 24.10 and OCGA § 19-9-1. The applicable provisions required in a Parenting Plan are attached hereto as **Exhibit "E."**

A parenting plan shall be required for permanent custody and modification actions, and in the court's discretion, may be required for temporary hearings. The judge may or may not require that a Parenting Plan be entered as part of the Temporary Order. If the parties are contesting custody, proposed parenting plans shall be filed by each party and a copy provided to the other party seventy-two (72) hours prior to the final hearing. Each party shall present a copy of his/her proposed parenting plan to the presiding judge at the beginning of the final hearing.

The final order in any legal action involving the custody of a child, including modification actions, shall incorporate a permanent Parenting Plan; provided, however, that unless otherwise ordered by the court, a separate court order exclusively devoted to a Parenting Plan shall not be required.

If the parties are not contesting custody, a joint parenting plan shall be filed at the time of the final hearing and presented to the Judge along with all other required documents, child support forms and orders prior to the granting of a divorce.

Consolidated Domestic Relations Pretrial Order

The Domestic Relations Pretrial order attached and incorporated by reference as **Exhibit “F”** shall be used in all domestic relations actions, including contested non-jury final hearings and jury trials. Do not set the action down for a hearing until the time requirements specified in Uniform Rules for the Superior Courts 24.2, 24.6 and 24.10 are met.

Agreements (Both With and Without Minor Children)

If a written agreement is entered into by the parties in a domestic relations action, it **must** be filed with the initial complaint **or** with an Order making it the Temporary Order of the Court **or** attached to the Final Judgment and Decree of Divorce.

Maiden Name

If a party wishes restoration of a maiden or prior name, the request must be stated in the pleadings and included in the final judgment and decree of divorce. O.C.G.A. § 19-5-16.

Scheduling Hearings

Regular civil non-jury hearings are scheduled through the office of the Clerk of Superior Court. Attorneys and/or parties must file a Rule Nisi, setting the case for a hearing before the assigned judge, with proper notice to the other party/parties and to the Clerk of Superior Court. Uncontested final divorces with an agreement may be set for a hearing on any regular civil non-jury calendar before any judge.

Civil non-jury hearings which will last longer than two (2) hours must be specially set for hearing. The judicial assistant for each judge will serve as calendar clerk for specially-set hearings. Attorneys and/or parties seeking a specially-set hearing shall submit a written request to the judge’s office, carbon copied to the opposing party’s counsel (and the *guardian ad litem* if applicable), indicating the length of time estimated, the issues to be heard, and whether the case

will be reported. *Please refer to Page 3 concerning mandatory participation in mediation and/or Judicially Hosted Settlement Conference prior to scheduling a contested final hearing.*

Attorneys and/or self-represented parties who require a date sooner than the next available civil non-jury hearing date must submit a written request to the judge's office, carbon copied to the opposing party's counsel (and the *guardian ad litem* if applicable), concerning the emergency issues to be heard.

A party requesting *Ex Parte* Relief must submit a written motion to the judge's office. The judge will then determine if the situation warrants a hearing sooner than the next available date and will set the date and time of the hearing.

Seminar for Divorcing Parents

Pursuant to the inherent powers of this court and Uniform Rule for the Superior Courts 24.8, and in order to provide for the speedy, efficient, and inexpensive resolution of disputes, it is hereby ordered that in all cases involving minor children (under the age of 18) in divorce, separate maintenance, paternity, change of custody, child support, visitation, legitimation and other domestic relations actions as may be otherwise ordered by the court, excluding domestic violence actions, U.R.E.S.A. cases, uncontested visitation modifications, and uncontested child support modifications, all parties shall successfully complete the program entitled "Seminar for Divorcing Parents" within thirty-one (31) days of service of the original complaint upon the defendant.

Failure to complete the seminar in a timely manner may subject the party to contempt or other sanctions, may delay any temporary hearings or mediation sessions, and may delay the granting of a final decree of divorce.

v.

This four-hour educational seminar focuses on the developmental needs of children, with emphasis on fostering the child's emotional health during periods of stress. The program is informative, supportive, and directs those individuals who seek additional information or help to appropriate resources.

Neither final hearings nor mediation nor Judicially Hosted Settlement Conferences will be scheduled unless both parties present proof of attendance. However, the court's action on a petition will not be delayed by a non-moving or responding party's refusal or delay in completing the seminar. Upon any party's failure to successfully complete the seminar pursuant to this Order, the assigned Judge may take appropriate action, including, but not limited to, actions for contempt.

Participants will pay the fee by money order, due at the beginning of each seminar, to cover the total cost of the seminar including the presenter's fee, handouts, applications, and program administration. The fee may be waived if a party presents a verified affidavit of poverty, and it appears upon investigation that the party otherwise meets the court's guidelines of indigency. The Ninth Judicial District Office of Dispute Resolution will administer the seminar using qualified counselors, educators, and trainers pursuant to a contract with the Ninth Judicial District Office of Dispute Resolution.

A service of equal value may be substituted for the seminar if written verification satisfactory to the court is given by a third party, indicating that the specific issues noted above have been addressed in another forum through professional or pastoral counseling, or another similar educational program. Parties may attend any four-hour Superior Court approved parenting seminar in the State of Georgia and, upon proof of attendance, substitute attendance to this seminar; however, the seminar may not be online unless approved previously by the court.

Further, for good cause shown, the assigned Judge may waive the requirement of this program in individual cases.

A schedule of seminar dates and the amount of fees may be obtained from the Clerk's Office, from the Ninth District Office of Dispute Resolution, the Appalachian Family Law Information Center or from the Ninth Judicial District's Internet website (9thjudicialdistrict-ga.org).

Parties must attend all four hours of the 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. **A certificate of attendance is valid for three years.** The Ninth Judicial Administrative District will provide written notice to the Superior Court Clerk for each person successfully attending the seminar. Security will be provided at each seminar immediately prior to, during, and immediately after each session.

Presenting Temporary and Final Orders to the Court for Signature

If an order is not presented in court at the time of the hearing, then after the hearing, the attorney who is directed to prepare the order shall send a copy of the proposed order to opposing parties for comments or objections. The attorney shall then send a copy to the judge for signature.

Orders of the court shall be presented for the judge's signature within ten (10) days of the hearing unless such time is extended or shortened by the court. Failure to submit the order within ten (10) days may result in the case being scheduled by the court for the next civil nonjury date so the order can be presented for signature.

Initiation Form, Disposition Form, and Vital Records Form

Attorneys and *pro se* litigants may receive a copy of the applicable forms in the office of the Clerk of Superior Court or at the Family Law Information Center. You will be charged a fee for any requested copies. Many of the requisite forms are also available online at www.appflc.org and www.gsecca.org

Georgia law requires that at the time of filing a domestic action, the DOMESTIC RELATIONS CASE FILING INITIATION FORM must be completed and filed with the Clerk of the Superior Court. *See* O.C.G.A. § 9-11-133.

Georgia law requires that the DOMESTIC RELATIONS CASE FINAL DISPOSITION INFORMATION FORM must be filed with the Clerk of the Superior Court at the time of filing the final order. *See* O.C.G.A. § 9-11-133.

Georgia law provides that the REPORT OF DIVORCE, ANNULMENT OR DISSOLUTION OF MARRIAGE AND CHILD SUPPORT ENFORCEMENT STATE CASE REGISTRY (VITAL RECORDS FORM 3907) must be filed at the time the Complaint for Divorce is filed. In all cases, the completed form shall be a prerequisite to the granting of the final decree. *See* O.C.G.A. § 31-10-22.

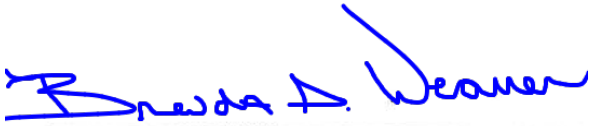
****Per Georgia law, the action is not final until appropriate forms that close the case are filed with the Clerk of Superior Court.****

It is the responsibility of the parties to comply with all applicable state statutes, Uniform Rules for the Superior Courts, and Orders of the Appalachian Judicial Circuit, concerning the filing of Domestic Relations actions.

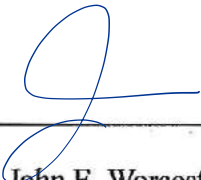
The Judges of the Appalachian Judicial Circuit recommend that all parties seek the advice of a lawyer who will be familiar with, not only domestic relations law, but also the requirements as specified in this Order.

The Domestic Relations Standing Order as to Issues of Divorce, Alimony, Child Support, Parenting Plans, Parenting Seminar, and Other Matters, signed March 31, 2011, is hereby vacated and replaced with the instant order.

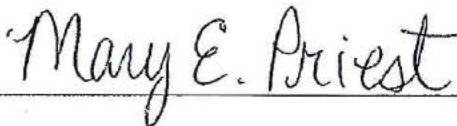
IT IS SO ORDERED, this 30th day of December, 2016.



Hon. Brenda S. Weaver
Chief Judge of Superior Courts
Appalachian Judicial Circuit



Hon. John E. Worcester
Judge of Superior Courts
Appalachian Judicial Circuit



Hon. Mary Elizabeth Priest
Judge of Superior Courts
Appalachian Judicial Circuit

Exhibit "A"

IN THE SUPERIOR COURT OF _____ COUNTY

STATE OF GEORGIA

Plaintiff,

vs.

Defendant.

*
*
*
*
*
*
*

CIVIL ACTION
FILE NO. _____

MOTION FOR FINAL DECREE OF DIVORCE WITHOUT EVIDENTIARY HEARING

Comes now, the Plaintiff in the above styled case and moves the Court to grant a final decree of divorce without holding an evidentiary hearing.

Said Motion is filed pursuant to O.C.G.A. §§ 19-5-8 and 19-5-10. In support of said Motion, the Plaintiff shows the following:

- a. Plaintiff's Complaint for Divorce was filed on _____.
- b. Defendant acknowledged service on _____.
- OR
- Defendant was personally served on _____.
- c. Defendant answered the Complaint on _____.
- OR
- Defendant did not answer the Complaint.
- d. Defendant is/is not represented by an attorney.
- e. Plaintiff and Defendant have/have not entered into an agreement settling all issues of alimony, equitable division of property, etc.
- f. Plaintiff and Defendant request that a final decree of divorce be issued without an evidentiary hearing.

_____ v. _____
County

This _____ day of _____, 20__.

Attorney for Plaintiff

CONSENTED TO:

Plaintiff

Defendant

Exhibit "B"

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

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

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	Year of Birth	Resides with
------	---------------	--------------

_____	_____	_____
_____	_____	_____
_____	_____	_____

Names and birth dates of affiant's other children:

Name	Year 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 3B) \$ _____

(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 \$ _____

B. 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	Separate Asset of the Husband	Separate Asset of the Wife	<u>Basis of the Claim</u>
Cash	\$ _____	_____	_____	_____
Stocks, bonds	\$ _____	_____	_____	_____
CD's/Money Market Accounts	\$ _____	_____	_____	_____
Bank Accounts (list each account): ONLY LIST LAST FOUR DIGITS OF ACCOUNT	\$ _____	_____	_____	_____
_____	\$ _____	_____	_____	_____
_____	\$ _____	_____	_____	_____
<u>Retirement Pensions, 401K, IRA, or</u>	\$ _____	_____	_____	_____
<u>Profit Sharing</u>				
Money owed you:	\$ _____	_____	_____	_____
<u>Tax Refund owed you:</u>	\$ _____	_____	_____	_____

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. 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	\$ _____
<u>residential line:</u>	\$ _____	Auto tags and license	\$ _____
<u>cellular telephone:</u>	\$ _____	Insurance	\$ _____
Gas	\$ _____	OTHER VEHICLES	
		(boats, trailers, RVs, etc.)	
Repairs and maintenance:	\$ _____	Gasoline and oil	\$ _____
Lawn Care	\$ _____	Repairs	\$ _____
Pest Control	\$ _____	Tags and license	\$ _____
		Insurance	\$ _____

CHILDREN'S EXPENSES

Child care (<u>total monthly cost</u>)	\$ _____
School tuition	\$ _____
Tutoring	\$ _____
Private lessons (e.g., music, dance)	\$ _____
School supplies/expenses	\$ _____
Lunch Money	\$ _____
<u>Other Educational Expenses (list)</u>	
_____	\$ _____
_____	\$ _____
Allowance	\$ _____
Clothing	\$ _____
Diapers	\$ _____
Medical, dental, prescription (out of pocket/uncovered expenses)	\$ _____

AFFIANT'S OTHER EXPENSES

Dry cleaning/laundry	\$ _____
Clothing	\$ _____
Medical, dental, <u>prescription</u> (out of pocket/uncovered expenses)	\$ _____
Affiant's gifts (special holidays)	\$ _____
Entertainment	\$ _____
Recreational Expenses (e.g., fitness)	\$ _____
Vacations	\$ _____
Travel Expenses for Visitation	\$ _____
Publications	\$ _____
Dues, clubs	\$ _____
Religious and charities	\$ _____
Pet 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: \$ _____

Personally appeared before me, an officer authorized to administer oaths, the undersigned affiant, who upon being sworn, swears that he/she is legally competent to make this affidavit, that the affidavit is based upon personal knowledge, and that the contents of the affidavit are true.

Affiant

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

Notary Public
My commission expires:

Exhibit "C"

COUNTY SUPERIOR COURT
STATE OF GEORGIA

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

Defendant.)

CHILD SUPPORT ORDER ADDENDUM

Instructions: All parts of this Addendum must be completed and it must be attached to all final orders and judgments determining the amount of child support. However, it is not required for orders on contempt motions.

[You must check one of the following boxes.]

- () The parties have agreed to the terms of this order and this information has been furnished by both parties to meet the requirements of OCGA §19-6-15. The parties agree on the terms of the order and affirm the accuracy of the information provided, as shown by their signatures at the end of this addendum.
- or
- () This addendum includes findings of fact and conclusions of law and fact made by the Court, in compliance with OCGA §19-6-15.

Application of Child Support Guidelines. The statutory requirements of OCGA §19-6-15 have been applied in reaching the amount of child support provided under the final order in this action. The specifics are as follows:

1. Gross Income - The Father's gross monthly income (before taxes) is \$ _____ ; the Mother's gross monthly income (before taxes) is \$ _____.
2. Number of Children - The number of children for whom support is being provided under this order is _____.
3. Attachments - The *Child Support Worksheet* and *Schedule E* are attached and made a part of this addendum, along with any other applicable schedules.
4. Child Support Amount - The _____ shall pay to the _____, for the support of the minor children, the sum of _____ Dollars (\$ _____) per _____ beginning on _____, 20 ____.

5. **Duration of Child Support**

[You must check & complete only one of the following paragraphs.]

- () (a) **Beyond Age 18 for High School** - The child support shall continue monthly thereafter until (the)/(all) child(ren) reach(es) the age of eighteen, dies, marries, or otherwise becomes emancipated; provided that if a child becomes eighteen years old while enrolled in and attending secondary school on a fulltime basis, then the child support shall continue for the child until the child has graduated from secondary school or reaches twenty years of age, whichever occurs first.
- () (b) **Stops at Age 18** - The child support shall continue monthly thereafter until each child reaches the age of eighteen, dies, marries, or otherwise becomes emancipated.
- () (c) **Until Further Order** - This is not a final order, so the child support shall continue until further order of this Court.
- () (d) **Until Specific Date** - The child support shall continue monthly thereafter until _____.

6. **Deviation from Presumptive Amount**

[You must check & complete only one of the following paragraphs.]

- () (a) **No Deviation** - It has been determined that none of the Deviations allowed under OCGA §19-6-15 applies in this case, as shown by the attached *Schedule E*. The amount of support in Paragraph 4 above is the Presumptive Amount of Child Support shown on the attached *Child Support Worksheet*.
- () (b) **Deviation** - It has been determined that one or more of the Deviations allowed under OCGA §19-6-15 applies in this case, as shown by the attached *Schedule E*. The Presumptive Amount of Child Support that would have been required under OCGA §19-6-15 if the deviations had not been applied is \$ _____ per month, as shown on the attached *Child Support Worksheet*. The attached *Schedule E* explains the reasons for the deviation, how the application of the guidelines would be unjust or inappropriate considering the relative ability of each parent to provide support, and how the best interest of the children who are subject to this child support determination is served by deviation from the presumptive amount of child support.

7. **Health, Dental & Vision Insurance for Children**

[You must check & complete all parts of only one of the following paragraphs, (a) or (b).]

- () (a) **Insurance Available** - The following insurance for the children involved in this action is available at a reasonable cost to the _____ through that parent's employer or the PeachCare program:

() Health (medical, mental health and hospitalization) () Dental () Vision
So long as it remains available to that parent, the _____ shall maintain the

types of insurance checked above for the benefit of the minor children, until each child reaches the age of eighteen, dies, marries, or otherwise becomes emancipated; except that if a child becomes eighteen years old while enrolled in and attending secondary school on a full-time basis, then the insurance shall be continued for the child until the child has graduated from secondary school or reaches twenty years of age, whichever occurs first.

(1) The parent who maintains the insurance shall provide the other parent with an insurance identification card or such other acceptable proof of insurance coverage and shall cooperate with the other parent in submitting claims under the policy.

(2) All money received by one of the parties for claims processed under the insurance policy shall be paid within five (5) days after the party receives the money, to the other party (if that other party paid the applicable health care service provider) or to the applicable health care provider (if the provider has not been paid by one of the parties).

- () (b) **Insurance Not Available** - Insurance (other than Medicaid) is not available at this time to either party at a reasonable cost. If health insurance for the children later becomes available to the parent who is required to pay child support for these children, then that parent must obtain the following types of insurance, unless it is then being provided by the other parent:
() Health (medical, mental health and hospitalization) () Dental () Vision.

When insurance has been obtained by either party, Paragraphs 7 (a)(1) and (2) shall apply.

8. **Uninsured Health Care Expenses** - The _____ shall pay _____% and the _____ shall pay _____% of all expenses incurred for the children's health care (including medical, dental, mental health, hospital and vision care) that are not covered by insurance. The party who incurs a health care expense for one of the children shall provide verification of the amount to the other party. That other party shall reimburse the incurring party (or pay the health care provider directly) for the appropriate percentage of the expense, within fifteen (15) days after receiving the verification of a particular health care expense.
9. **Parenting Time Amounts** - The approximate number of days of parenting time per year according to the visitation order is _____ days for the Father and _____ days for the Mother.
10. **Social Security Benefits**
[You must check & complete only one of the following paragraphs.]
- () (a) **Not Received** - The children do not receive Title II Social Security benefits under the account of the parent ordered to pay child support.
- () (b) **Received** - The children receive Title II Social Security benefits under the account of the parent ordered to pay child support. The benefits received by the children shall be

counted as child support payments, and shall be applied against the final child support order to be paid by that parent.

(1) If the amount of benefits received is less than the amount of support ordered, the obligor shall pay the amount exceeding the Social Security benefit.

(2) If the amount of benefits received is equal to or more than the amount of support ordered, the obligor's responsibility is met and no further support shall be paid.

(3) Any Title II benefits received for the children's benefit shall be retained by the custodial parent or nonparent custodian for the children's benefit, and it shall not be used as a reason for decreasing the final child support order or reducing arrearages.

11. **Modification** *[You must check & complete only one of the following paragraphs.]*

- () (a) **Not Modification Action** - This is an initial determination of child support, not a modification action.
- () (b) **Support Not Modified** - This action is a modification action, but the order does not modify the amount of child support that was previously ordered for these children. The date of the initial support order concerning this child support case was:
_____.
- () (c) **Support Amount Modified** - The order modifies the amount of child support that was previously ordered for these children. The basis for the modification is:
() (1) Substantial change in the income and financial status of the Father;
() (2) Substantial change in the income and financial status of the Mother;
() (3) Substantial change in the needs of the Children;
() (4) The noncustodial parent failed to exercise visitation provided under the prior order;
() (5) The noncustodial parent has exercised more visitation than was provided in the prior order.

The date of the initial support order concerning this child support case was:
_____.

12. **Continuing Garnishment for Child Support** - Whenever, in violation of the terms of the order, there shall have been a failure to make the support payments, so that the amount unpaid is equal to or greater than the amount payable for one month, the payments required to be made may also be collected by the process of continuing garnishment for support.

13. **Income Deduction Order**

[You must check & complete only one of the following paragraphs: (a), (b) or (c).]

- () (a) An *Income Deduction Order* shall be entered by the Court, under OCGA § 19-6-32, for payment of the child support and alimony (if any) provided. The *Income Deduction Order* shall take effect:

[To finish (a), you must check either (1) or (2). Do not check both.]

- () (1) immediately upon entry by the Court.
() (2) upon accrual of a delinquency equal to one month's support. The *Income Deduction Order* may be enforced by serving a "Notice of Delinquency," as provided in OCGA §19-6-32 (f).
- () (b) The parties agree that an *Income Deduction Order* is not immediately necessary.
- () (c) The Court finds that there is good cause not to require income deduction, having determined that income deduction will not serve the children's best interests and that there has been sufficient proof of timely payment of any previously ordered support.
- () **Parties' Consent** - We knowingly and voluntarily agree on the terms of this order. Each of us affirms that the information we have provided in this Addendum is true and correct.

Father's Signature

Mother's Signature

Third Party Custodian
or

- () **Contested Hearing.**

ORDER

() The Court has reviewed the foregoing *Child Support Order Addendum*, and it is hereby made the order of this Court.

or

() After a hearing in the above styled case, the Court hereby makes the finding of facts as shown on this *Child Support Order Addendum*.

This Order entered on the ____ day of _____, 20 ____.

JUDGE

Prepared By:

v. _____

County

Exhibit "D"

Rule 24.12. Required Income Deduction Order Form

Any income deduction order issued pursuant to Rule 24.11 shall be in the following form:

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

_____ ,)	
)	
Plaintiff,)	
)	CIVIL ACTION
v.)	
)	FILE NO. _____
_____ ,)	
)	
Defendant.)	

INCOME DEDUCTION ORDER

This Court having entered an order establishing, modifying or Enforcing a child support obligation owed by the (Enter one: Plaintiff or Defendant) (hereinafter, "Obligor"), and the Court having determined that an Income Deduction Order ("IDO") should be entered in accordance with Official Code of Georgia Annotated § 19-6-30 et seq., it is ORDERED AND ADJUDGED:

1. Identification of Parties

Obligor is: (Name of person who will pay support) _____

Obligor's Address is: _____

Obligee is: (Name of person who will receive support) _____

Child(ren):

Name: _____ Year of Birth: _____

Name: _____ Year of Birth: _____

Name: _____ Year of Birth: _____

2. Service

The Obligee shall be responsible for initiating the wage withholding by completing and transmitting all documents and notices required by OCGA § 19-6-30 et seq., 42 USC § 666 (b) (6) (A) (ii), and the Georgia Family Support Registry. Additionally, a copy of this order and all further papers required to be served pursuant to OCGA § 19-6-30 et seq., shall be served by the Obligee upon the Obligor by personal service, certified mail or statutory overnight delivery,

return receipt requested, or by regular mail in accordance with the alternative service provisions of OCGA §§ 9-11-4 (j) and 19-6-33 (b). A copy of this Order shall also be mailed by the Obligee to:

Family Support Registry
P.O. Box 1800
Carrollton, Georgia 30112-1800

3. Effective Date of this Order

() Immediately.

() Upon a delinquency equal to one month's support. This Court finds that good cause was shown to delay the effective date of this Order. The Obligee or the child support enforcement agency may enforce this IDO by serving a "Notice of Delinquency" on the Obligor as provided in OCGA § 19-6-32 (f).

4. Duration of this Order

This Order hereby supersedes any previous IDO; and it shall remain in force so long as the order of support upon which it is based is effective or arrearages remain upon payment due thereunder, or until further order of this Court. Thus, this Order shall continue until [check one]: () the last child of the parties for whom the Obligor has a duty of support reaches the age of majority; () the last child of the parties for whom the Obligor has a duty of support graduates from high school and reaches the age of majority, or reaches the age of 20 years, whichever shall first occur. See OCGA § 19-6-15 (c).

5. Income Deduction

The Obligor's employer, future employer, or any other person, private entity, federal or state government, or any unit of local government providing or administering any periodic form of payment due to the Obligor, regardless of source, including, without limitation, wages, salary, commissions, bonus, workers' compensation, disability, payments from a pension or retirement program, a personal injury award or settlement, and interest, shall deduct from all monies due the Obligor the following amounts:

6. Amount of Deduction

- a. Current Support: \$ _____ per month.
- b. Alimony: \$ _____ per month.
- c. Past Due Support: \$ _____ per month.
- d. Family Support Registry ("FSR") Fee: \$ _____ **per deduction payment per OCGA § 19-6-33.1(j).

** Five percent of the amount deducted for current or past child support, or a maximum fee of \$1.50, whichever is less.

7. Past Due Support

The Obligor named above owes Past Due Support in the amount of \$ (Amount of arrears) as of _____, 20____. The Obligee shall have the right to any additional arrearage that may accrue through the date of the first deduction of income and for all other periods of non-payment.

8. Payment Address

The total amount deducted shall be forwarded by the Employer ("Payor") within two business days after each payment date to:

Family Support Registry
P.O. Box 1800
Carrollton, Georgia 30112-1800

9. Payment Instructions

a. If Payor is deducting child support for more than one IDO, Payor must, upon future modification by Child Support Services or court order, deduct the FSR Fee for each IDO. If the amount Payor is deducting for any one case is \$40 or more, the FSR Fee for that IDO is \$1.50. If the deduction is less than \$40, the FSR Fee is five percent of the amount deducted, but in no event shall the fee exceed \$1.50.

b. The total amount of the Child Support Deduction will decrease, if applicable, after all Past Due Support is paid in full; at that point the amount deducted will be the amount of Current Support plus the FSR Fee.

10. Consumer Protection Act

The maximum amount to be deducted by a Payor shall not exceed that allowable under Section 303 (b) of the federal Consumer Protection Act, 15 USC § 1673 (b), as amended.

11. Duty of Obligor to Ensure Compliance

The Obligor is hereby ordered to perform all acts necessary for the proper withholding of the sums stated in this IDO, including delivery of the same to his employer and future employers, and to personally monitor and confirm on an ongoing basis that the payments withheld are timely and properly deducted from his/her income and forwarded as ordered, correctly identified with the above case. Failure of the employer to perform under this order does not relieve the Obligor of his/her obligation to ensure that payment is made.

12. Wrongful Discharge

No Payor shall discharge an Obligor by reason of the fact that income has been subjected to an IDO under OCGA § 19-6-32. A Payor who violates this paragraph is subject to a civil penalty not to exceed \$250 for the first violation or \$500 for any subsequent violation. Penalties

shall be paid to the Obligee or the Division of Child Support Services, whichever is enforcing the IDO, if any support is due and payable. If no support is due and payable, the penalty shall be paid to the Obligor.

SO ORDERED this _____ day of _____, 20____.

(Typed name of judge), Judge
Superior Court of _____ County

Prepared and presented by:

Adopted effective June 4, 2015.

Exhibit "E"

 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	Year 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:

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

_____ v. _____

	✓/o/b:	() Mother	() Father	() Joint
	✓/o/b:	() Mother	() Father	() Joint
	✓/o/b:	() Mother	() Father	() Joint
	✓/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 | () mother | () father | () joint |
| Non-emergency health care | () mother | () father | () joint |
| Religious upbringing | () mother | () father | () joint |
| Extracurricular activities | () mother | () father | () joint |
| _____ | () mother | () father | () joint |
| _____ | () mother | () father | () 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):

_____ v. _____
County

- 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

_____ v. _____
 _____ County

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	_____	_____

_____ v. _____
County

Memorial Day	_____	_____
Father's Day	_____	_____
July Fourth	_____	_____
Labor Day	_____	_____
Halloween	_____	_____
Child(ren)'s Birthday(s)	_____	_____
Mother's Birthday	_____	_____
Father's Birthday	_____	_____
Religious Holidays:	_____	_____

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

_____ v. _____

County

Appalachian Judicial Circuit

Parenting Plan

Page 6 of 8

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 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

Prepared By:

_____ v. _____
County

Exhibit "F"

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

Plaintiff

*
*
*
*
*
*
*
*

Case No. :

vs.

Defendant

DOMESTIC RELATIONS PRE-TRIAL ORDER

INSTRUCTIONS: This order must be completed IN DETAIL as to all issues. Conclusory language of OCGA shall not suffice to preserve any disputed issue.

I. Issues:

	Is in dispute?	
	YES	NO
A. Divorce	()	()
B. Alimony	()	()
C. Division of Property	()	()
D. Child Custody	()	()
Visitation	()	()
Child Support	()	()
E. Attorney's Fees	()	()
F. Other _____	()	()

A. If **DIVORCE** is in dispute, state the grounds and basis of opposition:

B. If **ALIMONY** is in dispute, state the following:

1. (Husband)(Wife) seeks alimony as follows:

Periodic: _____ per _____ (if terminable other than at death or remarriage, state termination conditions:
_____)

Lump sum: _____ (if payable in installments indicate the period for such installment payments:
_____)

_____ v. _____
County

Appalachian Judicial Circuit

Domestic Relations Pre-Trial Order of _____

In kind: _____

2. (Wife)(Husband) opposes alimony or would agree to the following alimony award : _____

3. Entitlement to alimony (is)(is not) disputed. (If entitlement to alimony is disputed, each party must summarize the claims as to the factual cause of the separation and the conduct of the parties toward each other.)

a. ____ Adultery as a bar to alimony is an issue. EXPLAIN:

b. ____ Desertion as a bar to alimony is an issue. EXPLAIN:

4. Summarize the contentions of the parties as to each of the eight factors under O.C.G.A. §19-6-5 governing the amount of alimony (any factor not summarized here may not be used at trial).

C. If DIVISION OF PROPERTY is in dispute, this order incorporates the most recent version of the financial affidavit filed by each party and the matters therein are deemed to set forth accurately each party's position as to the property at issue and the value thereof. If "source of funds" is an issue, provide details including an explanation of the proposed disposition of the property, using the source of funds analysis and formula. Without details, source of funds issue will be deemed waived.

Set forth your proposed award of property. Value of property must be CURRENT MARKET VALUE for all real and personal property.

Wife's Proposed Award:

1. Real Property: _____ v. _____
County

Appalachian Judicial Circuit

Domestic Relations Pre-Trial Order of _____

2. Vehicles:

3. Personal Property:

Husband's Proposed Award:

1. Real Property:

2. Vehicles:

3. Personal Property:

Unscheduled property will be left with the party in current possession and will not be otherwise awarded unless stipulated.

D. If CHILD CUSTODY, VISITATION or CHILD SUPPORT is in dispute:

1. Attach proof of attendance at the Seminar for Divorcing Parents (as required by standing order of this circuit in all cases with minor children, whether

_____ v. _____

County

Appalachian Judicial Circuit

Domestic Relations Pre-Trial Order of _____

custody, support or visitation is in issue or not).

2. Complete and attach up-to-date Child Support Worksheet and Schedules and complete the Child Support Attachment.

3. State contentions about duration of child support for each child. Absent detailed submission, child support shall continue until age 20 so long as the child is enrolled in and attending high school, not emancipated, married, self supporting, or deceased.

4. If **CHILD CUSTODY / VISITATION** is in dispute, attach a proposed parenting/visitation plan. If a guardian ad litem is involved in this case, has the guardian approved the proposed plan?

E. If **ATTORNEY'S FEES** are in dispute, state the following:

1. Plaintiff requests approximately _____ of Defendant and cost. (State legal authority). _____

2. Defendant requests approximately _____ of Plaintiff and cost. (State legal authority). _____

3. It is the obligation of EACH party to supplement this figure and bring it current with notice to the other party in writing up to the day before trial at the commencement of any trial or hearing in which attorney's fees are sought.

F. The parties' financial affidavits as required by Uniform Superior Court Rule 24.2 (are attached)(have been previously filed).

G. List and summarize all other issues.

II. TRIAL

Have the parties attended mediation (yes or no)? _____

A. The attorneys who will conduct the trial are:

_____ v. _____
County
Appalachian Judicial Circuit
Domestic Relations Pre-Trial Order of _____

_____ for the Plaintiff

_____ for the Defendant

- B. 1. All discovery has been completed, unless otherwise noted, and the court will not consider any further motions to compel discovery except for good cause shown. The parties, however, shall be permitted to take depositions of any person(s) for the preservation of evidence for use at trial.
2. Unless otherwise noted, the names of the parties as shown in the caption to this order are correct and complete and there is no question by any party as to the misjoinder or nonjoinder of any parties.
- C. The jury will be qualified as to relationship with the following:

D. Evidence

1. The following is a list of all documentary and physical evidence that will be tendered at the trial by the Plaintiff or Defendant. Unless noted, the parties have stipulated as to the authenticity of the documents listed and the exhibits listed may be admitted without further proof of authenticity. All exhibits shall be marked by counsel prior to trial so as not to delay the trial before the jury.

a. By the Plaintiff:

b. By the Defendant:

2. (Plaintiff)(Defendant) calls the court's attention to the following peculiar evidentiary (including but not limited to *Daubert*) or other legal issue(s):

Special authorities relied upon by (Plaintiff)(Defendant) relating to peculiar

_____ v. _____
County

Appalachian Judicial Circuit
Domestic Relations Pre-Trial Order of _____

evidentiary or other legal questions are as follows:

3. The testimony of the following persons may be introduced by deposition:

Any objection to the depositions or questions or arguments in the depositions shall be called to the attention of the court prior to trial.

E. Stipulations:

1. The parties stipulate the admissibility of the following documents (physical evidence) waiving any certification, authentication, hearsay, opinion, chain of custody or other objections:

2. The parties stipulate the truth of the following facts:

3. The parties stipulate that the following witnesses would testify under oath as follows and that such be considered as evidence:

F. The following are lists of witnesses the Plaintiff *will* have present at trial:

Plaintiff *may* have present at trial:

Defendant *will* have present at trial:

Defendant *may* have present at trial:

1. Are you requesting child testimony or interview by the Court?

G. There are no motions or other matters pending for consideration by the court except as follows:

H. All requests to charge anticipated at the time of trial will be filed in accordance with Rule 10.3.

I. The form of all possible verdicts to be considered by the jury are as follows:

J. The possibilities of settling the case are:

K. The parties (do)(do not) want the case reported.

L. Estimated length of trial is _____.

M. Final written offers of Settlement were exchanged on _____.

N. Other matters: -

O. Attachments:

_____ Property Schedule

_____ Child Support Worksheet and Schedules current as of _____

_____ Child Support Attachment

_____ Seminar for Divorcing Parents Certificate

_____ Financial Affidavits current as of _____

_____ Attorney's Fees Proffer _____

v. _____

_____ County

Appalachian Judicial Circuit

Domestic Relations Pre-Trial Order of _____

Submitted by:

It is hereby ordered that the foregoing, including the attachments thereto, constitutes the PRE-TRIAL ORDER in the above styled case.

SO ORDERED, this _____ day of _____ 200__.

Judge, Superior Court

Judicial Circuit

CHILD SUPPORT ATTACHMENT TO PRE-TRIAL ORDER

Mark and explain all areas of dispute, including not only the basis of the dispute the monetary amount, if any, you contend is correct. Failure to mark or explain a dispute will result in preclusion of the issue at trial.

Schedule A - Gross Income Incomes

Information Complete? (Yes/No)

 Mother

 Father

 Nonparent Custodian

If "No," explain what is missing, what steps you have taken to determine the information and how you intend to the acquire information necessary for both sides to present a completed Schedule A:

Self-employment Income

Does a party have self-employment income?

If so, set forth calculation of such income

Place a checkmark by any disputed items and explain below:

- | | | | |
|--------------------------------|-------------------|-------------------|-------------------|
| 1. Salary and Wages | <u> </u> | <u> </u> | <u> </u> |
| 2. Commissions, Fees, Tips | <u> </u> | <u> </u> | <u> </u> |
| 3. Income From Self-Employment | <u> </u> | <u> </u> | <u> </u> |
| 4. Bonuses | <u> </u> | <u> </u> | <u> </u> |

_____ v. _____

County

Appalachian Judicial Circuit

Domestic Relations Pre-Trial Order of _____

- 5. Overtime Payments _____
- 6. Severance Pay _____
- 7. Recurring Income from Pensions or Retirement Plans _____
- 8. Interest Income _____
- 9. Income from Dividends _____
- 10. Trust Income _____
- 11. Income from Annuities _____
- 12. Capital Gains _____
- 13. Social Security Disability or Retirement Benefits
(Do not include SSI or payments for children) _____
- 14. Worker's Compensation Benefits _____
- 15. Unemployment Benefits _____
- 16. Judgments from Personal Injury or Other Civil Cases _____
- 17. Gifts (cash or other gifts that can be converted to cash) _____
- 18. Prizes / Lottery Winnings _____
- 19. Alimony & maintenance from persons not in this case _____
- 20. Assets which are used for support of family _____

_____ v. _____

County

Appalachian Judicial Circuit

Domestic Relations Pre-Trial Order of _____

21. Fringe Benefits (if significantly reduce living expenses) _____

22. Any Other Income including Imputed Income. _____

Explain basis for dispute, including your position as to correct amount:

Indicate whether any of the following is at issue and if so, explain basis below:

Willful Un- or Underemployment _____

Other Variable Income (including whether either party seeks a one-time lump sum payment) _____

Social Security Benefits received by Child _____

Schedule B - Adjustments to Income

Applicable?	Mother	Father	Nonparent Custodian
Information Complete?	_____	_____	_____

_____ v. _____ County

Appalachian Judicial Circuit

Domestic Relations Pre-Trial Order of _____

If "No," explain what is missing, what steps you have taken to determine the information and how you intend to acquire information

Indicate areas of dispute and explain basis below

Self-employment Tax _____
Prior Child Support Order(s) _____
Theoretical Child Support Order(s) _____

Schedule D - Additional Expenses

	Mother	Father	Nonparent Custodian
Applicable?	_____	_____	_____
Information Complete ?	_____	_____	_____

If "No," explain what is missing, what steps you have taken to determine the information and how you intend to acquire information

Indicate areas of dispute and explain:

Health Care Insurance Premiums _____
Work-related Day Care _____

_____ v. _____

County

Appalachian Judicial Circuit

Domestic Relations Pre-Trial Order of _____

Schedule E - Deviations

Applicable	Mother	Father	Nonparent Custodian
Information Complete			

If "No," explain what is missing, what steps you have taken to determine the information and how you intend to acquire information

Each party shall indicate those deviations the party contends apply, state the amount of deviation sought indicating whether it is an increase or reduction and state the basis. The other party shall mark each deviation disputed.

Mother:	Amount	Basis:	Disputed? (Yes/No)
(A) High income	\$		
(B) Low income	\$		
(C) Other health related insurance	\$		
(D) Child and dependent care tax credits	\$		
(E) Travel expenses	\$		
(F) Alimony	\$		
(G) Mortgage	\$		
(H) Permanency plan or foster care plan	\$		
(I) Extraordinary expenses	\$		
Educational	\$		
Medical	\$		
Special	\$		

v.

County

Appalachian Judicial Circuit

Domestic Relations Pre-Trial Order of

_____ (J) Nonspecific deviations \$ _____
 _____ (K) Parenting time \$ _____

Father: Amount Basis: Disputed?
 (Yes/No)

_____ (A) High income \$ _____
 _____ (B) Low income \$ _____
 _____ (C) Other health related insurance \$ _____
 _____ (D) Child and dependent care tax credits \$ _____
 _____ (E) Travel expenses \$ _____
 _____ (F) Alimony \$ _____
 _____ (G) Mortgage \$ _____
 _____ (H) Permanency plan or foster care plan \$ _____
 _____ (I) Extraordinary expenses \$ _____
 _____ Educational \$ _____
 _____ Medical \$ _____
 _____ Special \$ _____
 _____ (J) Nonspecific deviations \$ _____
 _____ (K) Parenting time \$ _____

Nonparent Custodian: Amount Basis: Disputed?
 (Yes/No)

_____ (A) High income \$ _____
 _____ (B) Low income \$ _____
 _____ (C) Other health related insurance \$ _____
 _____ (D) Child and dependent care tax credits \$ _____
 _____ (E) Travel expenses \$ _____
 _____ (F) Alimony \$ _____
 _____ (G) Mortgage \$ _____
 _____ (H) Permanency plan or foster care plan \$ _____

_____ (I) Extraordinary expenses	\$ _____	_____	_____
_____ Educational	\$ _____	_____	_____
_____ Medical	\$ _____	_____	_____
_____ Special	\$ _____	_____	_____
_____ (J) Nonspecific deviations	\$ _____	_____	_____
_____ (K) Parenting time	\$ _____	_____	_____

Modification Actions (skip if not applicable).

In addition to responding to each of the questions above, identify dispute in any of the following areas and explain below:

	<u>Mother</u>	<u>Father</u>	<u>Nonparent Custodian</u>
Change in income	_____	_____	_____
Change in financial circumstances	_____	_____	_____
Change in needs of child	_____	_____	_____
Does a party seek a phase in of reduction/increase?	_____	_____	_____