DIVORCE WITHOUT MINOR CHILDREN(Uncontested)

IMPORTANT NOTE ABOUT THIS PACKET

HELPFUL HINTS:

"Plaintiff": The first and last name of the person who is filing this action

"Defendant": The other party's first and last name

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

OPTIONAL FORM:

If you are unable to afford the filing fees, you may ask the Court to waive the fees by completing the Affidavit of Indigence and Eligibility to Proceed in Forma Pauperis (Pauper's Packet) and submit along with your other completed forms to the Clerk of Superior Court.

General Civil and Domestic Relations Case Filing Information Form

		□ Superior or □ Sta	te Court	of		County		
	For Clerk Use O	nly						
	Date Filed	MM-DD-YYYY		Case Numbe	er			
Plain	tiff(s)			Defendan	t(s)			
Last	First	Middle I. Suffix	Prefix	Last	First	Middle I.	Suffix	Prefix
Last	First	Middle I. Suffix	Prefix	Last	First	Middle I.	Suffix	Prefix
Last	First	Middle I. Suffix	Prefix	Last	First	Middle I.	Suffix	Prefix
Last	First	Middle I. Suffix	Prefix	Last	First	Middle I.	Suffix	Prefix
Plain	tiff's Attorney			Bar Nur	nber	Self-	-Represe	nted 🗆
	Civil App Contract Garnish General Habeas Injunctio Landlord Medical Product Real Pro	bile Tort peal t ment Tort Corpus on/Mandamus/Other d/Tenant Malpractice Tort Liability Tort	Writ		Maintenan Family Vio Paternity/I Support – Support – Other Don -Judgment – C Contempt Non-paym	n/Divorce/Sepa lence Petition Legitimation IV-D Private (non-IV nestic Relations Check One Case eent of child su	V-D) s e Type pport,	
		on is related to another es, subject matter, or fa			vide a case nur	-	t involvin	g some or a
	I hereby certify th	nat the documents in the conal or confidential inf	_	including atta	ichments and e	exhibits, satisfy t	the requir	rements for
	Is an interpreter	needed in this case? If	so, provid	le the langua	ge(s) required.	Language(s) F	Required	
	Do you or your c	lient need any disabilit	y accomn	nodations? If	so, please desc	ribe the accom	modatior	request.

IN THE SUPERIOR COURT OF GWINNETT COUNTY

STATE OF GEORGIA

ummoned and required to the with the	e Clerk of said court and serve upon the Plaintiff's attorney, whose name
NAMED DEFENDANT:	
	SUMMONS
DEFENDANT	
VS.	
FLAINTIFF	
DI AINTEE	NUMBER:
	CIVIL ACTION
	PLAINTIFF VS. DEFENDANT

SC-1 Rev. Sept 2021

IN THE SUPERIOR COURT OF GWINNETT COUNTY STATE OF GEORGIA

Plaintiff/Petitioner		
	Civil Action No	
Defendant/Respondent		

MUTUAL RESTRAINING ORDER

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

- 1. 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 and the State of Georgia.
- 2. Each party is hereby enjoined and restrained from doing, or attempting to do, or threatening to do, any act that injures, maltreats, vilifies, intimidates, molests, or harasses the adverse party or the child(ren) of the parties.
- 3. Each party is hereby enjoined and restrained from selling, encumbering, trading, contracting to sell, or otherwise disposing or removing from the jurisdiction of the Court, any of the property belonging to the parties except in the ordinary course of business.
- 4. Each party is hereby enjoined and restrained from canceling or changing auto, health, or life insurance for the parties, or the parties' children, currently in place.
- 5. Each party is hereby enjoined and restrained from disconnecting or having disconnected the home utilities, including but not limited to electricity, gas, water, and telephone. Further, each party shall not interfere with the other party's mail, or the children's mail.

This order shall apply to all divorce cases filed in this Court and shall be the standing order until further order or action by the judges of this Court. 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.

SO ORDERED thisday of January, 2020.	
Cour last	Baril
GEORGE F. HUTCHINSON, III, Chief Judge	R. TIMOTHY HAMIL, Judge
Ronnie K. Batchelor	which will!
RONNIE K. BATCHELOR, Judge	WARREN DAVIS, Judge
KAREN E BEYERS, Judge	KATHRYN M. SCHRADER, Judge
1 the	La Lan
RANDOLPH G. RICH, Judge	TRACE D. MASON, Judge
TRACIE H. CASON, Judge	TADIA WHITNER, Judge
kula	Dann (
ANGELA D. DUNC	AN, Judge

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SUPERIOR COURT OF GWINNETT COUNTY STATE OF GEORGIA

v.	P	laintiff,	Civil Action File No.:
	De	efendant.	
	WIT		FOR DIVORCE LDREN (UNCONTESTED)
	name isrepresentin	g myself in this divorce act	ion. In support of my case, I state as follows:
1.	•	Matter Jurisdiction: I am nly one of the following, either (the Plaintiff in this action and: a) or (b).]
	□ (a)	I have been a resident of t months immediately prior	he State of Georgia for more than six (6) to filing this action.
	□ (b)		State of Georgia, but my spouse has been a corgia for at least six (6) months immediately ction.
2.	action. I jurisdict possible <i>Consent</i>	The Defendant has acknowl ion and venue, and consent after thirty-one days. I am	My spouse is the named Defendant in this edged service of process, consented to ed to a hearing in this matter as soon as filing the Acknowledgment of Service, and Consent to Present Case (which has been Complaint.

3.	Date of Marriage: [Check and complete only one of the following, either (a) or (b).]		
	☐ (a) The Defendant and I were lawfully married on		
	☐ (b) The Defendant and I are married by common law because we lived together and held ourselves out as husband and wife before January 1, 1997, beginning on		
4.	Date of Separation: The Defendant and I last separated on		
5.	Grounds for Divorce: Our marriage is irretrievably broken with no hope of reconciliation.		
6.	Minor Children: [If you have minor children that were born or adopted during your marriage, you should use the Complaint for Divorce with Minor Children.] The Defendant and I do not have any minor children together.		
7.	Settlement Agreement: The Defendant and I have entered into a Settlement Agreement, which we both want to be incorporated into the Final Judgment and Decree for Divorce. The Settlement Agreement has been signed by each of us in front of a notary public, and I am filing the Settlement Agreement with this Complaint.		
8.	Restore Former or Maiden Name: [Check only if applicable .] I am asking the Court to restore my former or maiden name, which is:		
FOR TH	HESE REASONS, I REQUEST THE FOLLOWING RELIEF: [Check all that apply.]		
(a) That I be granted a total divorce from the Defendant;		
(b	That the <i>Settlement Agreement</i> signed by the parties be incorporated into the <i>Final Judgment and Decree of Divorce</i> .		
□ (c	(c) That my former or maiden name be restored according to Paragraph 7;		

Date		Plaintiff <i>Pro se</i> [signature]
	Name:	
	Address:	
	Phone:	City, State ZIP
	Filolie.	

SUPERIOR COURT OF GWINNETT COUNTY STATE OF GEORGIA

Plaintiff, v.	Civil Action File No.:
Defendant.	
VERIF	ICATION
I am the Plaintiff filing this action. I	swear or affirm that I have read the
Complaint for Divorce without Minor Child	lren (Uncontested) and that the facts
contained within my Complaint are true and	l correct.
	Plaintiff [signature]
SWORN AND AFFIRMED before me this	
day of20	.
NOTARY PUBLIC	

General Civil and Domestic Relations Case Disposition Information Form

		☐ Superior o	or ⊔ Stat	e Court	of		County		
	For Clerk Use O	nly							
	Date Disposed				Case Numb	er			_
		MM-DD-Y	YYYY		Case Style ₋				_
Plaintif	f(s)				Defendar	nt(s)			
Last	First	Middle I.	Suffix	Prefix	Last	First	Middle I.	Suffix	Prefix
Last	First	Middle I.	Suffix	Prefix	Last	First	Middle I.	Suffix	Prefix
Last	First	Middle I.	Suffix	Prefix	Last	First	Middle I.	Suffix	Prefix
Last	First	Middle I.	Suffix	Prefix	Last	First	Middle I.	Suffix	Prefix
Reporti	ng Party								
Plaintif	f's Attorney				_ Bar I	Number	Se	elf-Repre	esented 🗆
Defenda	ant's Attorney _				Bar l	Number	Se	elf-Repre	esented \square
Manner	r of Disposition								
Check C	Only One								
□ Ве	ry Trial nch/Non-Jury T on-Trial Disposi Alternative Dis	tion	on						
	Check if any par	ty was self-repr	esented a	at any po	int during th	ne life of the cas	se.		
	Check if the cou	rt ordered an ir	nterpreter	for any p	oarty, witnes	ss, or other invo	lved individual.		
	Was the case ref	ferred/ordered	to a cour	t-annexe	d alternative	e dispute resolu	tion (ADR) proc	ess?	

IN THE SUPERIOR COURT OF GWINNETT COUNTY STATE OF GEORGIA

Plaintiff/Petitioner, v.	Civil Action File No.:
Defendant/Respondent.	
·	ONSENT TO JURISDICTION AND VENUE, TO PRESENT CASE
I am the Defendant/Respondent in this Plaintiff/Petitioner provided me a copy of the Divorce without Minor Children	Summons and Complaint/Petition for
and the following other documents: Mutual Restraining Order	olaint or Petition
1	signed, then I waive formal process, further notice, he armed forces, I also waive my rights under the App. §521. I give my consent for the Court to
Should further notice be required for an following address:	ny reason, the notice should be mailed to me at the
Defenda	nt's Address
Sworn to and subscribed before me on the	Defendant/Respondent, Pro se (Signature)
day of20	··
NOTARY PUBLIC	

IN THE SUPERIOR COURT OF GWINNETT COUNTY STATE OF GEORGIA

V.	Plaintiff,	Civil Action File No.:	
	Defendant.		
SET'		T NT WITHOUT MINOR CI	HILDREN
	s an agreement between the Plain		
	arties are married but are currentle have no minor children together.	y separateu, and	
2	· ·	nselves all questions of alimony, div	rision of property,
debts and all	other rights and obligations arisin	g out of their marital relationship;	
THER	EFORE, in consideration of the	mutual promises and declarations in	this agreement, the
parties agree a	as follows:		
	1. <u>S</u>	EPARATION.	
The pa	arties shall continue to live apart	and each one shall be free from all i	nterference and
-	-	nd each may reside at such places as	
choose.			
	2.	ALIMONY.	
3.[Che	eck and complete only one of these,	either (a) or (b). Do not check both (a	e) and (b).]
\Box (a) The par	ties agree to alimony as follows:		
Start date	Person paying Alimony	Person receiving alimony	Monthly amount
		\$	·
Init	ials		Initials

Alimony shall continue: [To finish (a), you must check and complete either (1) or (2). Do not check both (1) and (2)] [1] until the recipient remarries or dies.
\square (2) for a period of \square months \square years
\Box (b) Each party expressly waives the right to receive alimony from the other party.
4. <u>PROPERTY DIVISION</u> .
[Check and complete only one of these, either (a) or (b). Do not check both (a) and (b). Do not list complete account numbers.]
\Box (a) The parties acknowledge that they have already made a division of their marital property,
including any real estate, vehicles, household furniture, furnishings, household goods,
equipment, bank accounts, pensions and other personal property. Neither party shall claim any of the property in the possession of the other party as of the date of signing this agreement.
\Box (b) The parties acknowledge that they did not obtain any property during their marriage.
\Box (c) The parties acknowledge that they possess various items of marital property, which shall be
divided as provided in this Agreement. The parties agree to transfer possession and title to their property as follows:
[If you have chosen (c), check and complete only the parts that apply, from (1) through (4) below. Cross out the parts that do not apply.]
\Box (1) Marital Home - The marital home of the parties, located at the following address:
which has the following legal description on the deed to the property:
\Box The legal description is included on the deed which is attached to this Agreement as <i>Exhibit A</i>
InitialsInitials

Person giving up ownership of the property ("Grantor"):
Person obtaining all rights to the property ("Grantee"):
The Grantor conveys the above-referenced property to the Grantee in fee simple. The Grantee shall be responsible for all taxes, assessments and mortgage loan payments on the home after the date the datethis <i>Agreement</i> is signed by both parties.
[If you have chosen and completed the preceding paragraph (1), concerning a marital home, you may also check and complete (A) or (B) , or both (A) and (B) , but neither one is required.]
\Box (A)The Grantor shall have a lien against the home. Upon the sale or transfer of the
home, the lien shall be paid.
Amount of Grantor's lien: \$
☐ (B)The Grantee shall immediately begin making reasonable efforts to refinance the outstanding mortgage/mortgages on the marital home, so that the Grantor shall no longer be liable on the mortgage loan(s). If the Grantee is not able to refinance the home by the deadline listed below, then the home shall be listed for sale at a reasonable price, and all reasonable offers to purchase the home shall be accepted. Refinancing deadline:
Remancing deadine.
Initials Initials

□ (C	C) Other agreement	t(s) concerning the m	narital home:	
□(2) Mobile Home	e – the parties agre	ee to the transfer of the	neir mobile home	as follows:
Grantor	Grantee	VIN#	Descr	ription
The Grantee shall be <i>Agreement</i> has been s	•	1 2	ne mobile home a	fter the date this
(3) Vehicles - Th	e vehicles owned	by the parties shall b	e transferred or re	etained as follows:
Year, Make, Model		Vehicle Identification	on Number	Goes to
The party listed abov valorem taxes, registr Agreement has been s	ration fees and ins	urance on that vehicl	-	
☐ (4) Other Person	nal Property - The	e parties acknowledg	e that they own v	various other items
of personal property, this <i>Agreement</i> has be			listed below, with	hin 30 days after
			_	
Initials				Initials

To the :	
To the :	
Except as otherwise specifically provided in this Agreement, the transfers listed completed no later than 60 days after the date this <i>Agreement</i> has been signed by both party shall execute all documents necessary to promptly complete the transfer. Upon either party to execute and deliver any deed or other document necessary to complete required by this Agreement, this Agreement shall constitute and operate as the proper document. The county auditor, county recorder, Department of Motor Vehicles, and and private officials are authorized and directed to accept this Agreement or a proper of it in lieu of the document regularly required for the conveyance or transfer. Except as provided in this Agreement, the parties have divided their marital pany real estate, vehicles, household furniture, furnishings, household goods, equipme pensions and other personal property. Neither party shall claim any of the property in of the other party as of the date of signing this agreement, except as provided in this Agreement.	n parties, and each the failure of the transfers ly executed all other public ly certified copy roperty, including nt, bank accounts, in the possession
5. <u>DEBTS</u> . [Check and complete only one of these, either (a) or (b). Do not check both (a) and complete account numbers.]	l (b). Do not list
\Box (a) The parties acknowledge that they have no outstanding joint or marital debts.	
\Box (b) The responsibility for payment of the parties' joint and marital debts shall be	as follows:
Initials	Initials

Creditor	Amount	Responsible Party
	\$	
	\$	
collections on that debt. If legal actives responsible party agrees to indemniful attorney's fees and costs of collections.	ion is brought against the other fy or hold the other party harm	nless and, in addition, to pay all incur as a result of the legal action.
0. <u>IAA AND BANKK</u>	JFICT CONSTRUCTION	OF THIS AGREEMENT
marital and joint debts, if provided it tax purposes. Each party also acknown financial independence would be im- ever seeks bankruptcy protection, the	on this Agreement, shall not be owledges that, but for the payarpaired. Therefore, it is the pare amounts payable under this 1 United States Code Section and maintenance. Alternatively	ments provided here, the other party's arties' intention that if either party Agreement shall not be a 523(a)(5), as the payments are in the sy, the payments shall be
	7. RESTRAINING ORDE	<u>R</u>
(Optional — C	heck and complete this paragra	ph if applicable.)
1 2 1	5	rom assaulting, beating, wounding,
threatening, harassing and stalking t		is, each party in no way admits that such acts in the future. This provision
shall be enforceable by the Court's of		den acts in the future. This provision
8. <u>VO</u>	LUNTARINESS OF AGRE	<u>EMENT</u>
The parties acknowledge that	t they have entered into this A	Agreement freely and voluntarily, and
Initials		Initials

that it is not the result of any duress or any undue influence. We understand that we do not have to enter into this Agreement, that we have the right to trial before a judge or jury on all issues that could be raised in this action. We also understand that we have the right to certain discovery procedures that may reveal other income or assets of the other party. We have agreed to enter into this Agreement based on our knowledge of the income and assets of the parties and their written statements in this Agreement. After considering all of this, we have decided to enter into this Agreement freely and voluntarily.

9. <u>COMPLETENESS OF AGREEMENT</u>

This Agreement constitutes the entire understanding of the parties. There are no representations or promises other than those expressly included in this Agreement. Each party hereby states under oath that the financial representations in this Agreement are accurate and complete, to the best of that party's information, knowledge and belief.

10. **EFFECT OF DIVORCE**

Both parties understand that this Agreement does not require them to continue to live separately or to proceed with an action for divorce. However, if either party brings or maintains an action for divorce, this Agreement shall be presented to the court and incorporated by reference into any judgment concerning the matters covered by the Agreement. Even if it becomes part of a divorce judgment, this Agreement shall survive and can be enforced independently from the judgment of divorce.

Acknowledgment of the parties included on the following page

Initials Initials

	appeared		appeared
before me on	, 20, and	before me on	, 20, and
said under oath that s/he had rea	nd this	said under oath that s/he	e had read this
agreement, understood it, and w	as signing it	agreement, understood	it, and was signing it
voluntarily in my presence.		voluntarily in my presen	nce.
Notary Public		Notary Public	

Initials

Initials

COMPLETE FINANCIAL AFFIDAVIT

Domestic Relations Financial Affidavit

It is possible you do not need to complete the Financial Affidavit, if:

- ➤ You and your spouse have a signed Settlement Agreement and have agreed to the amount of child support; or
- ➤ Your spouse was never a Georgia resident and you cannot ask for child support or alimony; or
- ➤ You are already receiving child support or alimony.

Complete the Domestic Relations Financial Affidavit if you do NOT have a Settlement Agreement and:

- > Your spouse is a Gwinnett County resident and you are asking for alimony; or
- > Your spouse is a former Georgia resident who lives out of state and you are asking for alimony; or
- > You are asking the Court to make a fair division of marital property; or
- > You are asking the Court to make a fair division of marital debt; or
- > You receive a notice from the Judge directing you to complete the form.

IN THE SUPERIOR COURT OF GWINNETT COUNTY STATE OF GEORGIA

Plaintiff,	Civil Action File No.:
V.	
, Defendant.	
FINAL JUDGMEN	NT AND DECREE OF DIVORCE
Plaintiff and Defendant. The Court orders and decrees that Defendant, from and after this date, be set aside and dissol	principles, the Court grants a total divorce, a divorce a vinculo matrimonii, to the marriage contract heretofore entered into between Plaintiff and ved as if no such contract had ever been made or entered into, and Plaintiff all be held and considered as separate and distinct persons, altogether ver.
The prior name of the wife,	, is restored to her.
The Agreement between the parties filed dated	is incorporated herein by reference and made a part of this
This is to certify that the above is a true and correct copy of the Final Judgment and Decree in the above stated case. This day of, 20	HEREIN FAIL NOT, SO ORDERED this day of, 20
Deputy Clerk, Gwinnett Superior Court	Judge, Gwinnett Superior Court By designation (FJD:V07102013)

STATE OF GEORGIA

Report of Divorce, Annulment or Dissolution of Marriage Type or print all information

1. Civil Action Number	2. Date Decree Granted (mo., day, year)		3. County Decree Granted
4. Wife's Name (first, middle, last)		5. Maiden (Birth) Last Name	6. Date of Birth (mo., day, year)
7. County of Residence		8. Number of This Marriage (1st, 2nd	d, etc.)
9. Husband's Name (first, middle, last, generat	ion)	10. Date of Birth (mo., day, year)	11. County of Residence
12. Number of This Marriage (1st, 2nd, etc.)		13. Date of This Marriage (mo., day	y, year)
14. Specify Grounds For Divorce (19-5-3, OCC	GA)	15. Number of Children Less Than	18 Affected by This Decree

This above Report may be reproduced by use of a computer. However, the finished Report must be a close reproduction of the original, and prior review and approval must be obtained from the State Registrar before use. (31-10-7, O.C.G.A.)

31-10-22. Record of divorce, dissolutions, and annulments.

- (a) A record of each divorce, dissolution of marriage, or annulment granted by any court of competent jurisdiction in this state shall be filed by the clerk of the court with the department and shall be registered if it has been completed and filed in accordance with this Code section.

 The record shall be prepared by the petitioner or the petitioner's legal representative on a form prescribed and furnished by the state registrar and shall be presented to the clerk of the court with the petition. In all cases, the completed record shall be a prerequisite to the granting of the final decree.
- (b) The clerk of the superior court shall complete and forward to the department on or before the tenth day of each calendar month the records of each divorce, dissolution of marriage, or annulment decree granted during the preceding calendar month.

HOW TO FILE YOUR DOCUMENTS AT THE COURTHOUSE ☐ 1. Download all current administrative court forms at: http://gwinnettflc.atlantalegalaid.org/administrative-court-forms/ ☐ 2. Double-check that you have signed all of your documents. □ 3. Go to the Clerk of Superior Court; they have a computer and scanner available for you to 4. Scan your documents, at the kiosk, one at a time SUPERIOR COURT OF GWINNETT COUNTY Each page with the case heading is a separate STATE OF GEORGIA document. Civil Action Plaintiff, Label the document in a way you will remember, for example: o Initials, Summons Defendant. TITLE OF DOCUMENT Initials, Complaint o Initials, Financial Affidavit Example of case heading □ 5. Follow the instructions on the computer for filing with Tyler's Odyssey eFileGA. ☐ 6. Ask for help if necessary. ☐ 7. Set up an account or enter in your email address. There is no fee to set up an account. □ 8. Choose "upload documents" and then upload all of the documents you just scanned. ☐ 9. After filing, wait 24 to 48 business hours to receive an "acceptance" email. If your filing was not accepted, you will receive an email that explains why (for example, no signature or no date). ☐ 10. The accepted documents will be stamped with a case number, date and time. ☐ 11. Print two copies of the stamped, accepted document(s). One copy is for your records. The second copy is for the other party. 12. Serve the other party. Review your options at http://gwinnettflc.atlantalegalaid.org/filing-

and-service-instructions/

INSTRUCTIONS FOR ACKNOWLEDGMENT OF SERVICE

 Efile from the courthouse or from home. For more details, visit: http://gwinnettflc.atlantalegalaid.org/how-to-efile/.
2. Once your case has been accepted, print two copies of all the clerk-stamped forms. Keep one copy for your records.
3. Send the Acknowledgment of Service (completed with your case number) and a copy of all the clerk-stamped papers to the opposing party.
4. Have the other party complete the Acknowledgment of Service with his/her address and signature in front of a notary. The original Acknowledgment of Service form should be returned to you.
5. E-file the scanned Acknowledgment of Service or file at the self-help kiosk at the courthouse.
6. Wait for notice of a court date or any other request from the court or from the other side.

Courthouse Information

Gwinnett Justice and Administration Center ATTN: Clerk of Superior Court 75 Langley Drive Lawrenceville, GA 30046 Tel: (770) 822-8100