# REGISTRATION, CONTEMPT AND MODIFICATION OF CHILD SUPPORT/ALIMONY

#### IMPORTANT NOTE ABOUT THIS PACKET

- "Petitioner": The first and last name of the person who is filing this action
- "Respondent": The other party's first and last name
- "Case Number": Leave this field blank if you are preparing to file a new case

### Your financial testimony is required

You must complete a *Domestic Relations Financial Affidavit* documenting all of your own income, assets, expenses and liabilities. This document is your financial testimony given under oath.

### **OPTIONAL FORM:**

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

## <u>Alternative to filing a court case: Georgia Department of Child Support Services</u>

You may open a case with the Georgia Department of Child Support Services by visiting their local office and making an application for modification of your out-of-state child support order. There is a small fee for the application, which can be downloaded at: <a href="http://dcss.dhs.georgia.gov/application-services">http://dcss.dhs.georgia.gov/application-services</a>. Enforcement through Child Support Services includes:

- > Income deduction order
- > Tax return intercept
- ➤ Driver's license suspension
- > Property liens
- ➤ Additional methods up to and including prosecution for contempt

### **General Civil and Domestic Relations Case Filing Information Form**

		☐ Superior o	r 🗆 Stat	e Court	of		County		
	For Clerk Use O  Date Filed	•			Case Numbe	r			
Plaint	iff(s)				Defendant	:(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
Plaint	iff's Attorney				Bar Nun	nber	Self-	Represe	nted 🗆
			Chec	k One C	ase Type in (	One Box			
	Civil Ap Contrac Garnish General Habeas Injuncti Landlor Medical Product Real Pro	obile Tort peal t ment Tort Corpus on/Mandamus/ d/Tenant Malpractice To		Vrit		Maintenar Family Vio Paternity/ Support – Support – Other Don Judgment – G Contempt Non-paym medical su Modificatio	n/Divorce/Sepa nce lence Petition Legitimation IV-D Private (non-IV nestic Relations Check One Case nent of child su	/-D) s e Type pport,	
	Check if the action of the same part	ies, subject matt				vide a case nur	ling in this cour	t involvin	g some or all
	I hereby certify t		nts in th	is filina i			exhibits, satisfy t	he requir	ements for
_	redaction of pers			_	_				
	Is an interpreter	needed in this c	ase? If s	o, provid	e the languag	ge(s) required.			
							Language(s) R	Required	
	Do you or your o	client need any o	lisability	accomn	nodations? If s	so, please desc	cribe the accom	modation	request.

### IN THE SUPERIOR COURT OF GWINNETT COUNTY

### STATE OF GEORGIA

		CIVIL ACTION NUMBER:
	PLAINTIFF	
	VS.	
	DEFENDANT	
	S	UMMONS
ТО ТНЕ АВО	VE NAMED DEFENDANT:	
You are her and address is:		Clerk of said court and serve upon the Plaintiff's attorney, whose name
		you, within 30 days after service of this summons upon you, exclusive of will be taken against you for the relief demanded in the complaint.
		Richard T. Alexander, Jr., Clerk of Superior Court
		By Deputy Clerk
INSTRUCTIO	NS: Attach addendum sheet for additional p	arties if needed, make notation on this sheet if addendum sheet is used.

SC-1 Rev. 2011

### IN THE SUPERIOR COURT OF GWINNETT COUNTY STATE OF GEORGIA

Plaintiff/Petitioner	
v.	
	Civil Action No
Defendant/Respondent	

#### STANDING ORDER: CHILD SUPPORT AND PERMANENT PARENTING PLANS

This Order applies to all domestic actions involving child support and/or custody of a minor child or minor children. These domestic actions include, but are not limited to: divorce, modification of child support, modification of custody, separate maintenance cases that involve children, legitimations and paternity cases.

### CHILD SUPPORT COMPUTATION REQUIREMENTS AND PROCEDURES:

- 1. As of January 1, 2007, Child Support Computation REQUIRES the use of the internet *and/or* the use of an electronic worksheet downloaded to a computer.
- 2. Parties and/or their lawyers should go to <a href="http://www.georgiacourts.org/csc/">http://www.georgiacourts.org/csc/</a> to find the proper electronic worksheet. Parents should use The Guided Electronic Worksheet. Lawyers, Mediators, and other Professionals should use The Practitioner's Electronic Worksheet. Anyone can use The Downloadable Electronic Worksheet. Alternatively, go to <a href="https://www.services.georgia.gov/dhr/cspp/do/public/SupportCalc">https://www.services.georgia.gov/dhr/cspp/do/public/SupportCalc</a> to find your proper electronic worksheet.
- 3. Uniform Superior Court Rule 24 has been amended and compliance therewith is required. See <a href="http://www.georgiacourts.org/courts/superior/rules/rule">http://www.georgiacourts.org/courts/superior/rules/rule</a> 24.html
- 4. Completion of the form CHILD SUPPORT ADDENDUM, available from the Clerk of Court, is REQUIRED anytime a child support Order is requested.

  http://www.gwinnettcourts.com/documents/Filing//child%20support%20addendum.pdf
- All final judgments involving child support and agreements furnished to the Court for approval and/or entry must comply with the drafting mandates of O.C.G.A. §19-6-12 & 19-6-15. A completed child support worksheet shall also be filed with the Clerk of Court, or submitted to the Court in accordance with the provisions of O.C.G.A. § 19-6-15(m)(1) to be attached and/or incorporated into any final judgment or order. The following form is available from the Clerk of Court for use: FINAL JUDGMENT AND DECREE OF DIVORCE http://www.gwinnettcourts.com/documents/Filing//fjd%20with%20children.pdf
- 6. Pursuant to O.C.G.A. § 19-6-31, 32, & 33, the recipient of child support has the express right, without notice to the other party, at the time any child support order is entered or at any time thereafter, to submit a separate Income Deduction Order for Award of Child Support to the Court for immediate entry.

#### PERMANENT PARENTING PLANS

Pursuant to O.C.G.A. § 19-9-1, and U.S.C.R 24.10, in all cases in which the custody of any child is at issue between the parents, each parent shall prepare a parenting plan or the parties may jointly submit a parenting plan. The final decree in any legal action involving the custody of a child, including modification actions, shall incorporate a permanent parenting plan or written settlement agreement containing such permanent parenting plan. This requirement may also be satisfied by completion of the form PERMANENT PARENTING PLAN, available from the Clerk of Court. See, <a href="http://www.gwinnettcourts.com/documents/filing/PermanentParentingPlanOrder.pdf">http://www.gwinnettcourts.com/documents/filing/PermanentParentingPlanOrder.pdf</a>

The terms and conditions hereof may be modified or amended by subsequent order of any judge of this Court or any judge sitting by designation in this Court in any individual case.

SO ORDERED,

MELODIE SNELL CONNER, Chief Judge	DEBRA K. TURNER, Judge
R. TIMOTHY HAMIL, Judge	RONNIEY BATCHELOR, Judge
TOM DAVIS, Judge	WARREN DAVIS, Judge
Jalen E. BEYERS, Judge	KATHRYN M. SCHRADER, Judge
GEORGE HUTCHINSON, III. Judge	RANDOLPH G. RICH, Judge

## SUPERIOR COURT OF GWINNETT COUNTY STATE OF GEORGIA

v.	Petitioner,	Civil Action File No.:
	Respondent.	
		STRATION, CONTEMPT, AND NOF SUPPORT ORDER
this p	My name is petition. In support of my case, I sta	and I am representing myself in ate the following:
1.	Jurisdiction and Venue: The Respondent is a resident of O jurisdiction of this Court.	Gwinnett County, Georgia and is subject to the
2.		dent shall be served as provided under OCGA§ 9- leriff's Department at the Respondent's □ home
□3.	Prior Out-of-State Order for C Another state entered a prior order concerning that order is as follow	er concerning child support. The information

Date of Order:
State:
County:
Court's Name:
Case Number:
Party ordered to pay child support:
Amount of child support:
This Order has not been modified. See attached two copies, including one certified copy, of the Order marked Exhibit A and Exhibit B.
Check all that apply.]
☐ (a) Since that date there has been a substantial change in the income or financial status of the which ☐increases ☐decreases his/her ability to pay the amount of child support previously awarded.
☐ (b) Since that date there has been a substantial change in the needs of the children as follows:
·
Prior Out-of-State Order for Alimony: Another state entered a prior order concerning child support. The information concerning that order is as follows:
Date of Order:
State:
County:

**□**4.

	Court's Name:
	Case Number:
	Party ordered to pay alimony:
	Amount of alimony:
	This Order has not been modified. See attached two copies, including one certified copy, of the Order.
[Che	ck all that apply.]
	☐ (a) Since that date there has been a substantial change in the income or financial status of the which ☐increases ☐decreases his/her ability to pay the amount of alimony previously awarded. S
	☐ (b) The Respondent is voluntarily cohabiting with a third party of the opposite sex in a meretricious relationship.
□5.	<b>Contempt.</b> The Respondent is able to do what the Court ordered, but has willfully refused to do so. Therefore I am asking for an order finding the Respondent in willful contempt and establishing the amount of arrears owed.
	REFORE, I request the following relief: ck all that apply.]
□ (a)	That the attached Support Order be registered and filed as a foreign judgment;
□ (b)	That the Court serve notice upon the Respondent and provide him/her with an opportunity to contest the validity of the registered order;
□ (c)	That a Rule Nisi be scheduled by the Court to decide on the relief I have requested;

□ (d)	That the order awarding child sup	pport be □increased □decreased □terminated;			
□ (e)	That the order awarding alimony	be □increased □decreased □terminated;			
□ (f)	That the Respondent be held in c Court's order;	contempt for his/her failure to comply with the			
□ (g)	That the Court order the parties to participate in mediation to try to resolve this matter;				
□ (h)	That the Respondent be required to pay all costs of this action; and				
□ (i)	That the Court order any and all other relief that the Court finds appropriate.				
Dated:					
Dated.		Petitioner <i>Pro se</i> [signature]			
	Name:				
	Address:				
		City, State ZIP			
	Phone:				
	Email:				

## SUPERIOR COURT OF GWINNETT COUNTY STATE OF GEORGIA

Petitioner, v.	Civil Action File No.:
Respondent.	
VERIFI	ICATION
I am the Petitioner filing this action.	I swear or affirm that I have read the <i>Petition</i>
for Registration, Contempt and Modification	n of Support and that the facts contained
within my Complaint are true and correct.	
	Petitioner [signature]
SWORN AND AFFIRMED before me this	
day of20	<u>_</u> .
NOTARY PUBLIC	

### IN THE SUPERIOR COURT OF GWINNETT COUNTY STATE OF GEORGIA

Plaintiff, v.	Civil Action File No.:		
Defendant.  DOMESTIC REL	_ATIONS FINANCIAL AFFID	AVIT	
I swear and affirm under oath that complete:	the following financial inform	nation is true and	
My Name:	My Age	): 	
Other Party's Name:		arty's Age	
5 / 111		5 / 10 //	
Names and birth dates of children for Name	whom support is to be deter  Year of Birth	mined in this action:  Resides with	
Names and ages of my other children	(under the age of 18):		
Name	Age	Resides with	

2.	SUMMARY OF MY INCOME AND NEEDS (complete this section last)
(a)	
(b)	Net monthly income (from item 3B)
(c)	
(d)	
` ′	tal monthly expenses and payments to creditors (item 5C)
3.	A. MY GROSS MONTHLY INCOME (complete this section or attach Child Support Schedule A)
(Al	I income must be entered based on monthly average regardless of date of receipt.)
ΑT	lary or Wages TACH COPIES OF 2 MOST RECENT WAGE STATEMENTS
and	come from self-employment, partnership, close corporations, d independent contracts (gross receipts minus ordinary d necessary expenses required to produce income) TACH SHEET ITEMIZING YOUR CALCULATIONS
Re	ntal Income (gross receipts minus ordinary and
	cessary expenses required to produce income)
	TACH SHEET ITEMIZING YOUR CALCULATIONS
	nuses
	ertime Payments
	verance Pay
Re	curring Income from Pensions or Retirement Plans
Inte	erest and Dividends
Tru	ust Income
Inc	ome 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	
Child support 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	Plaintiff's Separate Asset		
Cash				
Investment accounts				
Certificates (stocks/bonds)				

Bank Accounts (list each account):  Description	Value	Plaintiff's Separate Asset	Defendant's Separate Asset	Basis of the Claim
Retirement Pensions, 401K, IRA, or Profit Sharing				
Money owed you:				
Tax Refund owed you:				
Real Estate: Home:				
: Other:	Debt owed			
Automobiles/Vehicles: Vehicle 1:	Debt owed			
	Debt owed			
Vehicle 2:				
Life Insurance (net cash value):	Debt owed			
Furniture/furnishings:				
Jewelry:				
Collectibles:				
Other Assets:				

Total Assets:	
5. AVERAGE MONTHLY EXPENSES FO	OD MY HOUSEHOLD
	SEHOLD EXPENSES
Mortgage or Rent payments	Gas
Property taxes	Repairs & Maintenance
Homeowner's/Renter's Insurance	Lawn care
Electricity	Pest control
Water	Cable TV/Internet
Garbage & sewer	Misc. household & Grocery items
Telephone	Meals Outside Home
Residential Lines	Other (Specify)
Cellular Telephones	
Total Household Expenses	
VEH	IICLE/AUTOMOTIVE
Gasoline & Oil	Auto tags/Registration & License
Repairs & Maintenance	Insurance
Public Transportation	
Total Transportation Expenses	
OTHER VEHIC	LES (boats, trailers, RVs, etc.)
Gasoline & Oil	Tags/Registration/License
Repairs & Maintenance	Insurance
Total Other Vehicles Expenses	_\$
CHIL	DREN'S EXPENSES
Child Care (total monthly cost)	Allowances
School tuition	Clothing
Tutorina	Diapers

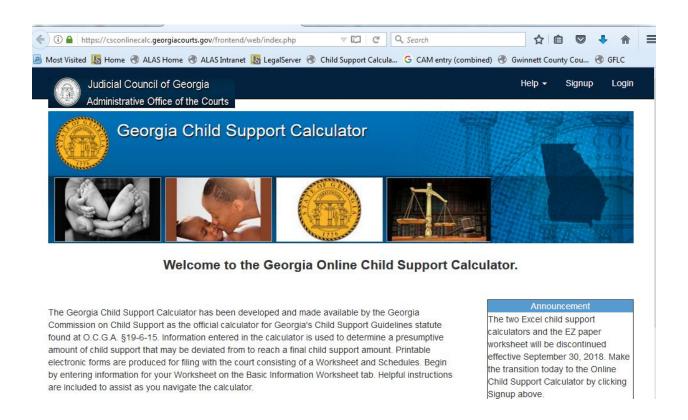
Private lessons (e.g., music, dance)	Medical/Dental/Prescriptions	
School Supplies/Expenses	Grooming, Hygiene	
Lunch money	Gifts from children to others	
Other Educational Expenses (list type & amount):	Entertainment	
Activities (including extra- curricular, school, religious, cultural, etc.)	Summer Camps	
Total Children's Expenses	\$	
II	NSURANCE	
Health	Child(ren)'s portion-health	
Dental	Child(ren)'s portion – dental	
Vision	Child(ren)'s portion – vision	
Life Insurance	Beneficiary – Life	
Disability	Other Insurance (specify)	
Total Insurance Expenses \$	Total Child(ren)'s Portion \$	
ОТІ	HER EXPENSES	
Dry cleaning & laundry	Publications	
Clothing	Dues, Clubs	
Medical/Dental/Prescription (out of pocket uncovered expenses)	Religious & Charities	
Your Gifts (special holidays)	Pet expenses	
Entertainment	Alimony paid to former spouse	
Recreational Expenses (e.g. fitness)	Child support paid for other children	
Vacations	Date of initial CS order:	
Travel expenses for visitation	Other (attach sheet to list)	

insurance, and other expe	enses)			
B. PAYMENTS TO CREDITORS				
B. PATMENTS TO CREDITORS	•		(please	check one)
To Whom:	Balance Due	Monthly Payment	Plaintiff	Defendant
5(B) TOTAL MONTHLY PAYME	NTS TO CR	EDITORS:	\$	
5(C) TOTAL MONTHLY EXPENTO CREDITORS:	ISES AND PA		\$	<u></u>
		_		<u> </u>
This day	of		, 20	
		(signature	e)	
		Printed N	lame ☐ Defendant si	gns and affirms
		under oath		tion contained in
		COTTOOL.		

NOTARY PUBLIC

### **Child Support Worksheet**

Create an account and create your child support worksheet by visiting: <a href="https://csconlinecalc.georgiacourts.gov/frontend/web/index.php">https://csconlinecalc.georgiacourts.gov/frontend/web/index.php</a>



For additional help, please review the Child Support Worksheet slideshow at: <a href="http://gwinnettflc.atlantalegalaid.org/wp-content/uploads/2015/12/Child-Support-Slideshow.pdf">http://gwinnettflc.atlantalegalaid.org/wp-content/uploads/2015/12/Child-Support-Slideshow.pdf</a>

### IN THE SUPERIOR COURT OF GWINNETT COUNTY STATE OF GEORGIA

		:	
V.	Plaintiff,	Civil Action	File No.:
	Defendant.	: : : :	
	CHILD SUPP	ORT ADDENDUM	<u>1</u>
and r	Pursuant to O.C.G.A. § 19-6-15(c) equired findings:	(2), the Court make	es the following applicable
1.	This addendum is issued as:		
	$\Box$ a final; $\Box$ a temporary; $\Box$ an initial action; $\Box$ a me		
2.	The Gross Income of the Father is 19-6-15(c)(2)(C).	\$	per month. O.C.G.A. §
	The Gross Income of the Mother is 19-6-15(c)(2)(C).	s \$	per month. O.C.G.A. §
	(SEE CHILD SUPPORT WORKSH☐DATED/☐FILEDREFERENCE HEREIN.) O.C.G.A.		
3.	Is health insurance for the child(rer reasonable cost to either parent?	<u> </u>	ably available at a
	If YES, then ☐ (a) father, OR ☐ provide accident and sickness insusupport continues. O.C.G.A. § 19-	rance for the child	•

4.	Mother shall pay% and Father 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 such expense shall provide documentation thereof to the other party within
	fourteen days of said expenditure with a short note explaining the details, the
	reasons, et cetera, of said expenditure. The other party shall reimburse the
	incurring party (or pay the health care provider directly) for the appropriate
	percentage of the expense, within fourteen days after receiving the verification of
	a particular health care expense. O.C.G.A. § 19-6-15(c)(2)(G).
5.	Pursuant to the visitation schedule, the noncustodial parent's parenting time is
	percent annually. (Standard Visitation with alternating weekends,
	holidays plus 2 weeks during the summer represents 20.8% parenting time for
	the noncustodial parent. With three weeks of summer vacation, the noncustodial
	parent's parenting time is 22.8% and with four weeks of summer vacation, the noncustodial parent's parenting time is 24.7%.). O.C.G.A. § 19-6-15(c)(2)(F).
	noncustodial parent's parenting time is 24.7 %.). O.O.O.A. § 19-0-10(c)(2)(1).
6.	The presumptive amount of child support as indicated by the Child Support
	Worksheet (#9 on Page 1 thereon) is \$ per month for Mother and
	\$ per month for Father. O.C.G.A. § 19-6-15(c)(2)(A) and (B).
7.	Deviation(s)
	a. $\square$ No Deviation. (If NO deviation, please skip the remaining items in
	item 7 and continue to item 8 to complete this form.)
	b. Deviation. If DEVIATION, you MUST complete EITHER item 7(b)(i)
	OR item 7(b)(ii)
	ii.    It has been determined that one or more of the Deviations
	allowed under O.C.G.A. §19-6-15 applies in this case. Schedule E of the Child
	Support Worksheet, docketed separately but simultaneously herewith, 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.

### OR

	The reasons for deviation are:
	Would the presumption amount be unjust or inappropriate?
Exp	plain
	Would deviation serve the best interests of the children for who
sup	pport is being determined? Explain
	Would deviation seriously impair the ability of the CUSTODIAL
NO	N-CUSTODIAL PARENT to maintain adequate housing, food ar
clot	thing for the children being supported by the order and to provide
oth	er basic necessities. Explain

Taking into consideration all o	f the applicable data from the Child Support
Worksheet, the award of child	support which $\Box$ Mother / $\Box$ Father shall pay to
☐ Mother / ☐ Father for sup	oport of the child(ren) is \$dollars pe
month. Said amount shall be p	payable $\square$ monthly $\square$ weekly $\square$ bi-weekly $\square$
semi-monthly OR $\square$ (c) other	r period: in the amount of
\$beginning	g on, and payable
thereafter on payable $\Box$ mon	thly $\square$ weekly $\square$ bi-weekly $\square$ semi-monthly
OR $\square$ (c) other period:	until the child becomes 18 years
full-time basis, then such supp secondary school provided that	e enrolled in and attending secondary school on a port shall continue until the child completes at such support shall not be required after the child G.A. § 19-6-15(c)(2)(A) and (B).
So found, this day of _	, 20
	Judge, Superior Court Gwinnett Judicial Circuit [ ] by designation.
Consented to by:	
Plaintiff	 Defendant
Date	 Date

### **General Civil and Domestic Relations Case Disposition Information Form**

		☐ Superior o	or 🗆 Stat	e Court	of		County		
ı	For Clerk Use O	nly							
	Date Disposed				Case Numb	er			_
		MM-DD-Y	<b>/YYY</b>		Case Style _				_
Plaintiff	(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
Reportir	ng Party								
Plaintiff	s Attorney				Bar I	Number	Se	elf-Repre	sented 🗆
Defenda	nnt's Attorney _				Bar I	Number	Se	elf-Repre	esented
Check O  Jur Ber No	of Disposition Inly One By Trial Inch/Non-Jury T In-Trial Disposit 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 <sub>l</sub>	party, witnes	ss, or other invo	lved individual.		
	Was the case ref	ferred/ordered	to a cour	t-annexe	d alternative	disnute resolu	tion (ADR) proc	ess?	

### **INSTRUCTIONS FOR**

### SERVICE BY GWINNETT COUNTY SHERIFF

1.	Double check that you have signed all of your documents.
2.	Make 2 copies of all of the forms.
3.	The filing fee for a new case file is \$204. You may pay with check, cash, or money order.
4.	Go to the Clerk of Superior Court. Give all of the copies to the clerk to have them stamped. The clerk will keep the original. One copy is yours to keep.
5.	One copy goes to the Gwinnett County Sheriff. You must pay separately for their service of Summons, which if \$50 if you have not obtained a fee waiver.
6.	The Sheriff will send you a copy of proof the opposing party has been served. You should contact the court, or visit the website to confirm the Sheriff's entry of service has been documented for your case.
7.	Wait for notice of a court date or request for additional information 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