

REGISTRATION AND CONTEMPT OF CUSTODY PACKET

“Petitioner”: The biological father’s first and last name

“Respondent”: 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 State Court of _____ County

For Clerk Use Only

Date Filed _____ Case Number _____
MM-DD-YYYY

Plaintiff(s)

Last	First	Middle I.	Suffix	Prefix

Defendant(s)

Last	First	Middle I.	Suffix	Prefix

Plaintiff's Attorney _____

Bar Number _____

Self-Represented

Check One Case Type in One Box

General Civil Cases

- Automobile Tort
- Civil Appeal
- Contract
- Garnishment
- General Tort
- Habeas Corpus
- Injunction/Mandamus/Other Writ
- Landlord/Tenant
- Medical Malpractice Tort
- Product Liability Tort
- Real Property
- Restraining Petition
- Other General Civil

Domestic Relations Cases

- Adoption
- Dissolution/Divorce/Separate Maintenance
- Family Violence Petition
- Paternity/Legitimation
- Support – IV-D
- Support – Private (non-IV-D)
- Other Domestic Relations

Post-Judgment – Check One Case Type

- Contempt
 - Non-payment of child support, medical support, or alimony
- Modification
- Other/Administrative

Check if the action is related to another action(s) pending or previously pending in this court involving some or all of the same parties, subject matter, or factual issues. If so, provide a case number for each.

_____ Case Number

_____ Case Number

I hereby certify that the documents in this filing, including attachments and exhibits, satisfy the requirements for redaction of personal or confidential information in O.C.G.A. § 9-11-7.1.

Is an interpreter needed in this case? If so, provide the language(s) required. _____
Language(s) Required

Do you or your client need any disability accommodations? If so, please describe the accommodation request.

IN THE SUPERIOR COURT OF GWINNETT COUNTY

STATE OF GEORGIA

CIVIL ACTION
NUMBER: _____

PLAINTIFF

VS.

DEFENDANT

SUMMONS

TO THE ABOVE NAMED DEFENDANT:

You are hereby summoned and required to file with the Clerk of said court and serve upon the Plaintiff's attorney, whose name and address is:

an answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

This _____ day of _____, 20_____.

**Richard T. Alexander, Jr.,
Clerk of Superior Court**

**By _____
Deputy Clerk**

INSTRUCTIONS: Attach addendum sheet for additional parties if needed, make notation on this sheet if addendum sheet is used.

SUPERIOR COURT OF GWINNETT COUNTY
STATE OF GEORGIA

_____,
Petitioner, Civil Action
vs. Case Number _____
_____,
Respondent.

**PETITION FOR REGISTRATION AND
ENFORCEMENT OF CUSTODY ORDER**

My name is _____ and I am representing myself in this petition. In support of my case, I state the following:

1. **Jurisdiction and Venue:**

[Check only one of the following, either (a) or (b).]

(a) The Respondent is a resident of Gwinnett County, Georgia and is subject to the jurisdiction of this Court.

(b) The Respondent is a resident of _____ County, Georgia, but I live in Gwinnett County. The Respondent has acknowledged service of process and consented to the jurisdiction and venue of this Court.

2. **Service of Process:** The Respondent shall be served as provided under OCGA §9-11-4, following manner:

[Check only one of the following, either (a) or (b).]

(a) The Respondent has acknowledged service of process. I am filing the Acknowledgment of Service (which has been signed by the Respondent) with this Petition.

(b) The Respondent may be served by the Sheriff's Department at the Respondent's
 home work address, which is

(b-1) [Check only if the Respondent resides outside of Gwinnett County.] The Respondent resides outside of Gwinnett County, and shall therefore be served by second original, as provided under OCGA § 9-10-72. Service shall be made by the Sheriff's Department in the county where the Respondent resides.

3. **Prior Order for Custody:** On _____, the _____ Court of _____, County in the State of _____, File Number _____ issued an order awarding _____ custody of the minor children to the Petitioner Respondent and visitation to the Petitioner Respondent. This Order has not been modified. See attached two copies, including one certified copy, of the Order marked Exhibit A and Exhibit B.
4. The Respondent has failed to allow the Petitioner the visitation awarded to him/her by the Court.
5. The Respondent is able to do what the Court ordered, but has willfully refused to do so.

THEREFORE, I request the following relief:

(a) That the attached Custody 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 to decide on the relief I have requested:

(d) That the Respondent be held in contempt and incarcerated for his/her failure to comply with the Court's order;

(e) That the Respondent be ordered to allow the Petitioner the visitation awarded to him/her by the Court;

(f) That _____

_____;

(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: _____

Petitioner, Pro se (Signature)

Name: _____

Address: _____

Phone: _____

SUPERIOR COURT OF GWINNETT COUNTY
STATE OF GEORGIA

Petitioner,
vs.

Respondent.

Civil Action

Case Number _____

VERIFICATION

PERSONALLY APPEARED BEFORE ME, the undersigned officer authorized to administer oaths, _____ who after having been duly sworn, on oath depose and states that the facts contained in the foregoing PETITION FOR REGISTRATION AND ENFORCEMENT OF CUSTODY ORDER are true and correct.

Petitioner (*Signature*)

Sworn to and subscribed before me

This _____ day of
_____, 200_____.

Notary public
My Commission Expires

_____.

General Civil and Domestic Relations Case Disposition Information Form

Superior or State Court of _____ County

For Clerk Use Only

Date Disposed _____ Case Number _____
MM-DD-YYYY

Case Style _____

Plaintiff(s)

Defendant(s)

Last	First	Middle I.	Suffix	Prefix

Last	First	Middle I.	Suffix	Prefix

Reporting Party _____

Plaintiff's Attorney _____

Bar Number _____

Self-Represented

Defendant's Attorney _____

Bar Number _____

Self-Represented

Manner of Disposition
Check Only One

Jury Trial

Bench/Non-Jury Trial

Non-Trial Disposition

Alternative Dispute Resolution

- Check if any party was self-represented at any point during the life of the case.
- Check if the court ordered an interpreter for any party, witness, or other involved individual.
- Was the case referred/ordered to a court-annexed alternative dispute resolution (ADR) process?

NEXT STEPS...

Step #1: Download all current administrative court forms at:

<http://gwinnettflc.atlantalegalaid.org/administrative-court-forms/>

Step #2: Serve the other Party

Depending on your situation you will need to have the other party acknowledge your case, or you will have to arrange to have them served. Download your filing instructions by visiting:

<http://gwinnettflc.atlantalegalaid.org/filing-and-service-instructions/>