## ESTABLISHMENT OF SUPPORT AND PATERNITY PACKET

## **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</u> <u>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</u> <u>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 outof-state child support order. There is a small fee for the application, which can be downloaded at: <u>http://dcss.dhs.georgia.gov/application-services</u>. 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

	For Clerk Use O	nly							
	Date Filed			(	Case Numb	er			
		MM-DD-YYYY							
Plainti	ff(s)				Defendar	nt(s)			
ast	First	Middle I.	Suffix	Prefix	Last	First	Middle I.	Suffix	Prefix
ast	First	Middle I.	Suffix	Prefix	Last	First	Middle I.	Suffix	Prefix
ast	First	Middle I.	Suffix	Prefix	Last	First	Middle I.	Suffix	Prefix
ast	First	Middle I.	Suffix	Prefix	Last	First	Middle I.	Suffix	Prefix
lainti	ff's Attorney				Bar Nu	mber	Self	-Represe	nted 🗆
	•	ment Tort	s/Other \	Vrit		Paternity/ Support – S Support –	lence Petition Legitimation		
		Malpractice T Liability Tort perty	ort		Post	t-Judgment – ( Contempt	Check One Cas	е Туре	
		ing Petition eneral Civil				□ Non-paym		•••	
]	Check if the actic of the same parti						0	t involvin	g some

- 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 \_\_\_\_\_\_, 20\_\_\_\_\_, 20\_\_\_\_\_,

Tiana P. Garner 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.

SC-1 Rev. 2011

### SUPERIOR COURT OF GWINNETT COUNTY STATE OF GEORGIA

VS.		Plaintiff,	, Civil Action Case Number
		Defendant.	2
		PETITION FOR S	UPPORT AND PATERNITY
	My na	ame is	and I am representing myself in this
petiti	ion. In s	upport of my case, I state the	following:
1.	•	ect Matter Jurisdiction: I am ek only one of the following, e	the Petitioner in this action and: either (a) <b>or</b> (b).]
	$\Box$ (a)	I am a resident of the State	of Georgia.
	□ (b)	I am not a resident of the St State of Georgia.	ate of Georgia, but Respondent is a resident of the
2.		diction and Venue: ek only one of the following, e	either (a) or (b).]
	$\Box$ (a)	The Respondent is a resider jurisdiction of this Court.	nt of Gwinnett County, Georgia and is subject to the
	□ (b)	The Respondent is a resider live in Gwinnett County. T and consented to the jurisdi	t ofCounty, Georgia, but I he Respondent has acknowledged service of process ction and venue of this Court.
3.	in the	<b>ce of Process:</b> The Responde following manner: <b>ck only one</b> of the following, of	nt shall be served as provided under OCGA § 9-11-4, either (a) or (b).]

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

4. **Minor Children:** [Check only one of the following, either (a) or (b).]

The Respondent and I are the parents of \_\_\_\_\_ minor child(ren), listed below:

Name of Child	Male / Female	Year of Birth

5. The Respondent has: [Check only one of the following, either (a) or (b).]

 $\Box$  (a) had his paternity of the child(ren) determined in another action. The court, the case number and the nature of the proceeding are as follows: \_\_\_\_\_

 $\Box$  (b) has signed an acknowledgment of paternity of the child(ren).

6. The Respondent and I have a joint and several duty to provide support for the child(ren) pursuant to O.C.G.A. §19-7-24.

- 7. The Respondent has failed to provide adequate support for the child(ren).
- 8. **Child Support:** The Respondent has income or is capable of earning sufficient money to support the minor child(ren).

#### 9. Health Insurance for Children: [Check only one of these, either (a), (b) or (c).]

- □ (a) The Respondent should be ordered to maintain a policy for medical, dental and hospitalization insurance for the minor children.
- □ (b) I already provide health insurance for the children, and the Respondent should be required to reimburse me for a fair share of the cost each month.
- $\Box$  (c) I am not asking the Court to address this issue in this case.

#### 10. Other Medical Expenses for Children: [Check only one of these: (a), (b) or (c).]

- □ (a) The Respondent should be responsible for all expenses incurred for the children's medical, dental and hospital care that are not covered by insurance.
- □ (b) The Respondent and I should share the cost of expenses incurred for the children's medical, dental and hospital care that are not covered by insurance.
- $\Box$  (c) I am not asking the Court to address this issue in this case.

#### 11. Life Insurance to Support Children: [Check only one of these, either (a), (b) or (c).]

□ (a) The children depend on the Respondent for support, and therefore the Respondent should maintain a policy of insurance on the Respondent's life,

with a face amount of <u>\$</u>, for the benefit of the minor children. The Respondent should maintain the policy for so long as at least one of the children is a minor or is otherwise entitled to child support.

- $\Box$  (b) I am not asking the Court to address this issue in this case.
- 12. Pursuant to O.C.G.A. §§ 19-7-42 and 19-7-43, Petitioner requests that Respondent's paternity of the child be determined and that Respondent be ordered to provide support for the child.

WHEREFORE, the Petitioner respectfully requests the following:

(a) That Respondent be served notice of this Petition as provided by law;

- (b) That Respondent's paternity of the minor child(ren) be determined pursuant to O.C.G.A. §§ 19-7-42 and 19-7-43;
- (c) That the Respondent be ordered to pay the Petitioner support for the minor child(ren) in accordance with the child support guidelines, O.C.G.A. §19-6-15;
- □ (d) That the Respondent be ordered to maintain medical and dental insurance for the child, and be ordered to pay any medical and dental expenses incurred on behalf of the child that are not covered by insurance;
- □ (e) That the Respondent be ordered to maintain an insurance policy on his/her life for the benefit of the child(ren);
- $\Box$  (f) That an income deduction order be entered pursuant to O.C.G.A. §19-6-32;
  - (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.

Civil Action Case Number \_\_\_\_\_

Respondent.

## VERIFICATION

PERSONALLY APPEARED BEFORE ME, the undersigned officer authorized to administer oaths, the above-named Petitioner, who after having been duly sworn, on oath depose and states that the facts contained in the foregoing *Petition for Support and Paternity* are true and correct.

Dated:

Petitioner Pro se (Signature)

Subscribed and sworn before me on

\_\_\_\_\_, 20\_\_\_\_.

Notary Public

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

Plaintiff, v.	Civil Action File No.:		
Defendant.	—		
	ELATIONS FINANCIAL AFFIDA		
1. I swear and affirm under oath th complete:	at the following financial inform	ation is true and	
My Name:	My Age:	:	
Other Party's Name:		arty's Age	
Date of Marriage: Names and birth dates of children fo	or whom support is to be deterr		
Names and birth dates of children for	or whom support is to be deterr	nined in this action:	
Names and birth dates of children for	or whom support is to be deterr	nined in this action:	
Names and birth dates of children for	or whom support is to be deterr Year of Birth	nined in this action:	
Names and birth dates of children for <b>Name</b>	or whom support is to be deterr Year of Birth	nined in this action:	
Names and birth dates of children for Name	or whom support is to be deterr Year of Birth en (under the age of 18):	nined in this action: Resides with	
Names and birth dates of children for Name	or whom support is to be deterr Year of Birth en (under the age of 18):	nined in this action: Resides with	
Names and birth dates of children for Name	or whom support is to be deterr Year of Birth en (under the age of 18):	nined in this action: Resides with	

## 2. SUMMARY OF MY INCOME AND NEEDS (complete this section last)

(a)	Gross monthly income (from item 3A)	
(b)	Net monthly income (from item 3B)	
$(\mathbf{a})$		
(c)	Average monthly expenses (item 5A)	
(d)	Monthly payments to creditors	
Total	monthly expenses and payments to creditors (item 5C)	
2 4	MY ODOCO MONITHLY INCOME (complete this costion or other to	
3. A	. MY GROSS MONTHLY INCOME (complete this section or attach C Schedule A)	inila Support
(All ii	ncome must be entered based on monthly average regardless of dat	e of receipt.)
Sala	ry or Wages	
ATTA	ACH COPIES OF 2 MOST RECENT WAGE STATEMENTS	
Com	missions, Fees, Tips	
Incor	me from self-employment, partnership, close corporations,	
	independent contracts (gross receipts minus ordinary	
	necessary expenses required to produce income)	
	ACH SHEET ITEMIZING YOUR CALCULATIONS	
	al Income (gross receipts minus ordinary and	
	essary expenses required to produce income)	
	ACH SHEET ITEMIZING YOUR CALCULATIONS	
Bonu	ISES	
Over	time Payments	
Seve	rance Pay	
Recu	irring Income from Pensions or Retirement Plans	
Intere	est and Dividends	
Trust	Income	
Incor	ne 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	Defendant's Separate Asset	Basis of the Claim
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 FOR MY HOUSEHOLD

#### HOUSEHOLD 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 ( <i>Specify</i> )				
Cellular Telephones	_				
Total Household Expenses					
VEHICLE/	AUTOMOTIVE				
Gasoline & Oil	Auto tags/Registration & License				
Repairs & Maintenance	Insurance				
Public Transportation	_				
Total Transportation Expenses	\$				
OTHER VEHICLES (b	ooats, trailers, RVs, etc.)				
Gasoline & Oil	_ Tags/Registration/License				
Repairs & Maintenance	_ Insurance				
Total Other Vehicles Expenses \$					
CHILDREN'S EXPENSES					
Child Care (total monthly cost)	Allowances				
School tuition	_ Clothing				
Tutoring	_ 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	\$		
	INSURA	NCE	
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	- _\$
	OTHER EX	PENSES	
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)	
Total Other Expenses	\$		

# **5(A) TOTAL MONTHLY EXPENSES** (add household, transportation, children's,

\$

insurance, and other expenses)

#### **B. PAYMENTS TO CREDITORS**

			(please	e check one)
To Whom:	Balance Due	Monthly Payment	Plaintiff	Defendant
(B) TOTAL MONT	HLY PAYMENTS TO C	REDITORS:	\$	
(C) TOTAL MONT O CREDITORS:	HLY EXPENSES AND	PAYMENTS -	\$	
ſhis	day of		. 20	_
			,	
		(signatur	e)	
		Printed N		signs and affirms

□ Plaintiff □ Defendant signs and affirms under oath that the information contained in this *Financial Affidavit* is complete true and correct.

NOTARY PUBLIC

## **Child Support Worksheet**

## Create an account and create your child support worksheet by visiting: https://csconlinecalc.georgiacourts.gov/frontend/web/index.php



#### Welcome to the Georgia Online Child Support Calculator.

The Georgia Child Support Calculator has been developed and made available by the Georgia Commission on Child Support as the official calculator for Georgia's Child Support Guidelines statute found at O.C.G.A. §19-6-15. Information entered in the calculator is used to determine a presumptive amount of child support that may be deviated from to reach a final child support amount. Printable electronic forms are produced for filing with the court consisting of a Worksheet and Schedules. Begin by entering information for your Worksheet on the Basic Information Worksheet tab. Helpful instructions are included to assist as you navigate the calculator.

Announcement The two Excel child support calculators and the EZ paper worksheet will be discontinued effective September 30, 2018. Make the transition today to the Online Child Support Calculator by clicking Signup above.

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

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

Plaintiff, v.	Civil Action File No.:
Defendant.	

#### CHILD SUPPORT ADDENDUM

Pursuant to O.C.G.A. 19-6-15(c)(2), the Court makes the following applicable and required findings:

 $\Box$  a final;  $\Box$  a temporary; in

 $\Box$  an initial action;  $\Box$  a modification action.

2. The Gross Income of the Father is \$\_\_\_\_\_ per month. O.C.G.A. § 19-6-15(c)(2)(C).

The Gross Income of the Mother is \$	per month.	O.C.G.A. §
19-6-15(c)(2)(C).	•	-

(SEE CHILD SUPPORT WORKSHEET(S) OF $\Box$ M	lother $\Box$ Father $\Box$ Court,
	INCORPORATED BY
REFERENCE HEREIN.) O.C.G.A. § 19-6-15(m)(1).	

3. Is health insurance for the child(ren) involved reasonably available at a reasonable cost to either parent? YES NO

If YES, then $\Box$ (a) father, OR $\Box$ (b) mother, OR $\Box$ (c) both parents, shall
provide accident and sickness insurance for the child(ren) for as long as child
support continues. O.C.G.A. § 19-6-15(c)(2)(D).

- 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).
- 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. D 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.  $\Box$  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

	Would the presumption amount be unjust or inappropriate?
Ехр	lain
	Would deviation serve the best interests of the children for w
sup	port is being determined? Explain
sup	port is being determined? Explain
	port is being determined? Explain
	Would deviation seriously impair the ability of the CUSTODI

	Taking into consideration all of the applicable data from the Child Support						
	Worksheet, the award of child su	upport which $\Box$ Mother / $\Box$ Father shall pay to					
	$\Box$ Mother / $\Box$ Father for supp	ort of the child(ren) is \$dollars per					
	month. Said amount shall be pay	yable $\Box$ monthly $\Box$ weekly $\Box$ bi-weekly $\Box$					
	semi-monthly OR $\square$ (c) other p	eriod: in the amount of					
		n, and payable					
	thereafter on payable $\Box$ month	ly $\Box$ weekly $\Box$ bi-weekly $\Box$ semi-monthly					
	OR $\Box$ (c) other period:	until the child becomes 18 years					
	of age, dies, marries, or otherwise becomes emancipated, except that if the child						
		becomes 18 years of age while enrolled in and attending secondary school on a					
		full-time basis, then such support shall continue until the child completes secondary school provided that such support shall not be required after the child					
	,	attains 20 years of age. O.C.G.A. § 19-6-15(c)(2)(A) and (B).					
	So found, this day of	, 20					
	Judge, Superior Court Gwinnett Jud						
		[ ] by designation.					
	Consented to by:						
	Plaintiff	Defendant					
	Date	Date					

## General Civil and Domestic Relations Case Disposition Information Form

	□ Superior or □ State Court of						County			
	For Clerk Use On	ly								
	Date Disposed				Case Numb	er			_	
	MM-DD-YYYY			Case Style						
									-	
Plaint	iff(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	
Repoi	Reporting Party									
Plaintiff's Attorney			Bar Number Self-Represente		sented $\Box$					
Defendant's Attorney				Bar I	Number	Self-Represented 🗆				
Manner of Disposition Check Only One										
Cheek										
Jury Trial										
<ul> <li>Bench/Non-Jury Trial</li> <li>Non-Trial Disposition</li> </ul>										
□ 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?

## **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