

# **CONTEMPT PACKET**

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## **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.

# Domestic Relations Case Filing Information Form

**Superior Court**

**County** \_\_\_\_\_

**Date Filed** \_\_\_\_\_

MM-DD-YYYY

**Docket #** \_\_\_\_\_

**Plaintiff(s)**

**Defendant(s)**

Last	First	Middle I.	Suffix	Prefix	Maiden
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Last	First	Middle I.	Suffix	Prefix	Maiden
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Last	First	Middle I.	Suffix	Prefix	Maiden
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Last	First	Middle I.	Suffix	Prefix	Maiden
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**Plaintiff/Petitioner's Attorney**

**Pro Se**

Last	First	Middle I.	Suffix
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**Bar #** \_\_\_\_\_

## Check Case Type (one or more)

- Divorce (includes annulment)
  - Contested?  Yes  No
  - Child Custody Issue?  Yes  No
  - Child Support Issue?  Yes  No
- Separate Maintenance
- Adoption
- Paternity (includes legitimation)
- Interstate Support Enforcement Action
- Domestication of Foreign Custody Decree
- Family Violence Act Petition

## MODIFICATION

- Modification - Custody, Visitation, or Parenting Time
  - Does the modification include a parent selection by a child who is at least 14 years old?  Yes  No
- Modification - Child Support and Alimony
- Modification - Child Support
- Modification - Alimony

## CONTEMPT

- Contempt - Custody, Visitation, or Parenting Time
- Contempt - Child Support and Alimony
- Contempt - Child Support
- Contempt - Alimony
- Other Domestic Contempt
- Other Domestic Relations Specify \_\_\_\_\_

## FAMILY VIOLENCE

### Additional Information - Ex Parte Relief

- Did the initial pleading include a request for relief?
1. From alleged family violence?  Yes  No
  2. Was ex parte relief requested?  Yes  No
  3. Was ex parte relief granted?  Yes  No

## OTHER

Have the parties agreed to binding arbitration?  Yes  No

Have the parties reached a custodial agreement?  Yes  No

If yes, check one:

- Joint Custody
- Joint Legal Custody
- Joint Physical Custody
- Sole Custody to: \_\_\_\_\_

Financial Affidavit submitted?  Yes  No

Child Support Forms submitted?  Yes  No

IN THE SUPERIOR COURT OF GWINNETT COUNTY

STATE OF GEORGIA

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CIVIL ACTION  
NUMBER: \_\_\_\_\_

PLAINTIFF

VS.

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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

<p>_____, Petitioner,</p> <p>vs.</p> <p>_____, Respondent.</p>	<p>Civil Action</p> <p>Case Number _____</p>
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**PETITION FOR CITATION FOR CONTEMPT**

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

**1. Jurisdiction and Venue:**

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

- (a) Respondent is a resident of Gwinnett County, Georgia and is subject to the jurisdiction of this Court as a result of the prior Order entered by this Court.
- (b) Respondent is a resident of \_\_\_\_\_ County, Georgia and is subject to the jurisdiction of this Court as a result of the prior Order entered by this Court.
- (c) Respondent is not a resident of Georgia, but is subject to the jurisdiction of this Court as a result of the prior Order entered by this Court.

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

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

- (a) Respondent has acknowledged service of process. I am filing the Acknowledgment of Service (which has been signed by the Respondent) with this Petition.
- (b) Respondent may be served by the Sheriff's Department at the Respondent's  
 home  work address, which is:

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(b-1) [Check only if Defendant/Respondent resides outside of Gwinnett County.] 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 Respondent resides.

3. An Order was entered in the Superior Court of Gwinnett County, Civil Action File No. \_\_\_\_\_ on \_\_\_\_\_.  
A copy of that Order is attached.

4. In the prior Order, Defendant/Respondent was ordered [check all that apply]:

(a) to pay Petitioner \$\_\_\_\_\_ per \_\_\_\_\_ in child support/alimony and, as of the date of the filing of this Petition, owes to the Petitioner the following amount:

\$\_\_\_\_\_.

(b) to allow Petitioner to visit with the minor child(ren).

(c) to give Petitioner the following property/possessions:

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(d) To pay for and have medical insurance for the minor child(ren).

(e) To pay Petitioner back for medical bills in the amount of

\$ \_\_\_\_\_.

(f) Other: \_\_\_\_\_

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5. Respondent was able to do what the Court ordered. Respondent's refusal to do so is willful.

6. Respondent should be held in contempt of this Court's Order and incarcerated until such time as he/she purges him/herself of this contempt.

7. Respondent should be ordered to reimburse the Petitioner for payment in filing this action and for cost of service.

WHEREFORE, Petitioner prays:

- (a) That process and summons issue as provided by law;
- (b) That Respondent be served with a copy of this Motion;
- (c) That Respondent be held in contempt and incarcerated for failure to comply with the Court's Order;
- (d) That a Rule Nisi be scheduled by the Court to decide on the relief I have requested;
- (e) That the Court order the parties to participate in mediation to try to resolve this matter;
- (f) That Respondent be required to pay all costs of this action; and
- (g) That the Court order any and all other relief that the Court finds appropriate.

Dated: \_\_\_\_\_

Petitioner, *Pro se* (Signature)

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone: (\_\_\_\_\_) \_\_\_\_\_

Email: \_\_\_\_\_

SUPERIOR COURT OF GWINNETT COUNTY  
STATE OF GEORGIA

<p>_____, Petitioner, vs. _____, Respondent.</p>	<p>Civil Action Case Number _____</p>
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**VERIFICATION**

PERSONALLY APPEARED BEFORE ME, the undersigned officer authorized to administer oaths, the above-named Petitioner, who after having been duly sworn, on oath deposes and states that the facts contained in the foregoing PETITION FOR CITATION FOR CONTEMPT are true and correct.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Petitioner, *Pro se* (Signature)

Subscribed and sworn before me on

\_\_\_\_\_, 20\_\_\_.  
\_\_\_\_\_  
Notary Public

## **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 is \$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