

**IN THE SUPERIOR COURT OF HALL COUNTY  
STATE OF GEORGIA**

\_\_\_\_\_,  
Petitioner,  
v.  
\_\_\_\_\_,  
Respondent.

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**CIVIL ACTION**  
**FILE NO.:** \_\_\_\_\_

**PETITION FOR DIVORCE WITHOUT MINOR CHILD(REN)**

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

**1.**

**Subject Matter Jurisdiction:** I am the Petitioner in this action, and: [*Check only one of the options below.*]

- (a) I have been a resident of the State of Georgia for at least six (6) months immediately prior to filing this action.
- (b) I am not a resident of the State of Georgia, but my spouse has been a resident of the State of Georgia for at least six (6) months immediately prior to my filing of this action.

**2.**

**Venue:** My spouse's name and his/her address, if known is: \_\_\_\_\_  
\_\_\_\_\_. He/she is the Respondent in this action, and:  
[*Check and complete only one of the options below, (a) through (e).*]

- (a) The Respondent is a resident of Hall County, Georgia and, therefore, venue is proper in Hall County. The Respondent is subject to the personal jurisdiction of this Court.
- (b) The Respondent is a resident of Georgia in \_\_\_\_\_ County, but the Respondent and I lived together in Hall County at the time we separated. I still reside in Hall County, and the Respondent has only moved away from Hall County within the past six months before the date of my filing this action. Therefore, venue is proper in Hall County. The Respondent is subject to the personal jurisdiction of this Court.
- (c) The Respondent is a resident of Georgia in \_\_\_\_\_ County, and I live in Hall County. I expect the Respondent will consent to venue in Hall County by executing a *Consent to Personal Jurisdiction and Venue*. If such consent is obtained, I will be filing the signed form with this *Petition*. The Respondent is subject to the personal jurisdiction of this Court.
- (d) The Respondent is not a resident of the State of Georgia, but I am a resident of Hall County, Georgia, making venue in Hall County proper, and:  
[*To complete this Section (d), check and complete one of the options below, (i), (ii), or (iii).*]
  - (i) The Respondent was formerly a resident of the State of Georgia and currently resides in the State of \_\_\_\_\_. The Respondent is subject to the personal jurisdiction of the Court under Georgia's Long Arm Statute, O.C.G.A. § 9-10-91(5).
  - (ii) The Respondent has never resided in the State of Georgia and currently resides in the State of \_\_\_\_\_.

- (iii) I expect the Respondent will consent to the jurisdiction of this Court by executing a *Consent to Personal Jurisdiction and Venue*. If such consent is obtained, I will be filing the signed form with this *Petition*.
- (e) I am a resident of Hall County and the Respondent's whereabouts are unknown to me. I am filing my *Affidavit of Diligent Search* with this *Petition*, and incorporate it here by reference.

**3.**

**Service of Process:** The Respondent shall be served as provided by law in the following manner:  
 [Check and complete only one of the following options, (a) through (d).]

- (a) I expect the Respondent will acknowledge service and waive process by signing an *Acknowledgment of Service*. If such acknowledgment is made, I will be filing the signed form with this *Petition*.
- (b) The Respondent may be served by the Hall County Sheriff's Office at the Respondent's [residence / work] \_\_\_\_\_ address in Hall County, which address is:  
 \_\_\_\_\_.
- (c) The Respondent is living or working in another county or state and I am arranging for service to be made by the sheriff's department of \_\_\_\_\_ County in the State of \_\_\_\_\_ at the Respondent's [residence / work] \_\_\_\_\_ address, which address is: \_\_\_\_\_.
- (d) The Respondent's whereabouts are unknown to me. I am filing my *Affidavit of Diligent Search* with this *Petition*. The Respondent shall be served by publication as provided under O.C.G.A. § 9-11-4(e)(1). To the best of my knowledge, the Respondent's last known address is:  
 \_\_\_\_\_.

**4.**

**Date of Marriage:** [Check and complete only one of the following options, (a) or (b).]

- (a) The Respondent and I were lawfully married on \_\_\_\_\_.
- (b) The Respondent and I are married by common law because we lived together and held ourselves out as husband and wife as of \_\_\_\_\_, which date is prior to January 1, 1997.

**5.**

**Date of Separation:** The Respondent and I last separated on \_\_\_\_\_, and we have remained in a true state of separation since that date.

**6.**

**Minor Child(ren):** The Respondent and I have no minor children together (including unborn children).

7.

**Other Minor Child(ren):** [Optional]

[Optional] [Petitioner / Respondent] \_\_\_\_\_, the wife in this case,  is pregnant with a child or children and/or  has the following minor child(ren) born during the marriage who is/are not the biological child(ren) of the husband in this case:

<u>Name of child(ren)</u>	<u>Sex</u>	<u>Birth Year</u>
_____	_____	_____
_____	_____	_____

The husband has never acknowledged this/these child(ren) as his child(ren). The husband is not the biological father of the child(ren) based on the following facts/reasons:

\_\_\_\_\_  
\_\_\_\_\_

I request and believe it is in the best interest of the child(ren) named in this section (c) that the Court enter an order acknowledging the husband, [name] \_\_\_\_\_, is not the biological and/or legal father of  the unborn child(ren) and/or  the above-named child(ren), he has never recognized this/these child(ren) as his child(ren) and he has no legal relationship, nor potential rights or obligations arising from any such relationship, to this/these child(ren). Specifically I ask the Court to determine the presumption of legitimacy has been sufficiently disputed under O.C.G.A. § 19-7-20(b) or terminate his presumed parental rights under O.C.G.A. § 19-7-1(b)(8) as in the best interests of the child(ren) for the following reasons:

\_\_\_\_\_  
\_\_\_\_\_

8.

**Settlement Agreement:** [Check this option only if you and your spouse have already completed and executed the written agreement included with the pro se packet.]

The Respondent and I have entered into a *Settlement Agreement* that resolves all issues of our divorce. It was signed by each of us in front of a notary public. I am filing it with this *Petition* and ask that it be incorporated into the *Final Judgment and Decree for Divorce*. Therefore, Paragraphs 9 through 13 below do not apply. [You may strike through paragraphs 9 through 13.]

9.

**Alimony:** [Check only one of the options below, (a) through (d).]

- (a) I am financially dependent on the Respondent and need the Court to order the Respondent to pay alimony for my support.
- (b) I have been awarded spousal support/alimony in a protective order that applies to the parties in this case. It is scheduled to expire \_\_\_\_\_, 20\_\_\_\_. A copy of that order is attached to this *Petition* as Exhibit “\_\_\_\_.” I am asking this Court to enter an order providing that the spousal support/alimony awarded in the protective order shall remain in effect for so long as the protective order remains in effect.
- (c) I am not asking for alimony.
- (d) This case involves service by publication.



12.

**Joint or Marital Debts:** [Check and complete only one of the following options, (a) through (d).]

- (a) The Respondent and I have already divided any joint or marital debts, and we are both satisfied with the division.
- (b) The Respondent and I do not have any outstanding joint or marital debts.
- (c) The Respondent and I have outstanding joint or marital debts, and I am asking the Court to make a fair division of these debts:

	<u>Creditor</u>	<u>Balance</u>
Mortgage payments:	_____	_____
Mobile home payments:	_____	_____
Vehicle loan payments:	_____	_____
	_____	_____
Credit card payments:	_____	_____
	_____	_____
Medical bills:	_____	_____
	_____	_____
Other debts:	_____	_____
	_____	_____
	_____	_____

- (d) This case involves service by publication.

13.

**Restraining Order If Violence Has Occurred:**

[Read instructions carefully and check the box only if applicable.]

- There is a history of physical violence by the Respondent towards me, and I am afraid that the Respondent will engage in further acts of violence or harassment towards me unless the Court enters a temporary and permanent restraining order.

14.

**Restore Former Name:** [Check the box only if applicable.]

- My former name is \_\_\_\_\_, and I am asking the Court to restore that name to me.

15.

**Grounds for Divorce:** My grounds for divorce from the Respondent are:

[Check only the options that you can prove at trial.]

- (a) **Our marriage is irretrievably broken.** The Respondent and I can no longer live together and there is no hope that we will get back together.
- (b) **Other grounds** from list in O.C.G.A. § 19-5-3, as explained here:

\_\_\_\_\_.

**FOR THESE REASONS, I REQUEST THE FOLLOWING RELIEF:**

- (a) I be granted a total divorce from the Respondent;
- (b) Any *Settlement Agreement* executed and filed by the parties be incorporated into the *Final Judgment and Decree of Divorce*;
- (c) A hearing be scheduled on this matter;
- (d) The Court enter an order granting the relief I have requested in this *Petition*;
- (e) The Court order any and all other relief that the Court finds appropriate.

\_\_\_\_\_  
Petitioner, Pro se [*signature above*]  
Name [*printed*]: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Phone: (     ) \_\_\_\_\_