

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

\_\_\_\_\_, §  
Petitioner, §  
v. § **CIVIL ACTION**  
§ **FILE NO.:** \_\_\_\_\_  
\_\_\_\_\_, §  
Respondent. §

**PETITION FOR DIVORCE**

[From Simple Divorce Packet]

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 is \_\_\_\_\_. He/she is the Respondent in this action, and:

[Check and complete only one of the options below, (a) through (d).]

- (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 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*.

**3.**

**Service of Process:** 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*. Respondent's 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.

**Settlement Agreement:** I expect the Respondent and I will enter into a written *Settlement Agreement*, which I am asking to be incorporated into the *Final Judgment and Decree for Divorce*. If we enter into a written *Settlement Agreement*, I will be filing it with the Court, together with this *Petition*.

7.

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

8.

**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:

\_\_\_\_\_

\_\_\_\_\_

9.

**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.

10.

**Grounds for Divorce:** 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.

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

- (a) I be granted a total divorce from the Respondent;
- (b) Any *Settlement Agreement* signed 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 the Court finds appropriate.

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