

IN THE SUPERIOR COURT OF _____ COUNTY

STATE OF GEORGIA

Plaintiff,

v.

Defendant.

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Civil Action No. _____

COMPLAINT FOR DIVORCE WITHOUT MINOR CHILDREN

My name is _____ and I am representing myself in this divorce action. In support of my case, I state as follows:

1.

Subject Matter Jurisdiction (Check only one of the following):

(a) I have been a resident of the State of Georgia for more than 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 the filing of this action.

2.

Venue (Check only one of the following):

(a) The Defendant is a resident of the county where this action is filed and is subject to the jurisdiction of this Court.

(b) The Defendant is no longer a resident of the county where this action is being filed but still lives in Georgia. The Defendant and I lived together in this county at the time

we separated. I still reside in this county and the Defendant has only moved away from this county within the past six months before the date of my filing this action.

(c) The Defendant is a Georgia resident but does not live in the county where this action was filed. I live in the county where this action was filed and the Defendant has acknowledged service of process and consented to the jurisdiction and venue of this Court.

(d) The Defendant is not a resident of the State of Georgia, but I am a resident of the County where this action is being filed: (check only one of the following)

(1) The Defendant lives in the State of _____ and the Defendant was formerly a resident of the State of Georgia and is subject to the jurisdiction of the Court under Georgia's Long Arm Statute, O.C.G.A. § 9-10-91(5).

(2) The Defendant lives in the State of _____ and the Defendant has never resided in the State of Georgia.

(3) The Defendant has acknowledged service of process and consented to the jurisdiction and venue of this Court.

(e) I am a resident of the County where this action is being filed and the Defendant's whereabouts are unknown to me. I am filing my Affidavit of Due Diligence with this Complaint, and incorporate it here by reference.

3.

Service of Process (check only one)

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

(b) The Defendant may be served by the Sheriff's Department of the County where this action is being filed at the Defendant's residence /work address, which is:

(c) The Defendant's whereabouts are unknown to me. I am filing my Affidavit of Diligent Search with this Complaint. The Defendant shall be served by publication as provided under O.C.G.A. § 9-11-4(e)(1) for those who cannot be found within the State of Georgia. To the best of my knowledge, the Defendant's last known address is:

(d) Other:

4.

Date of Marriage (Check and complete only one)

The Defendant and I were lawfully married on _____.

5.

Date of Separation

The Defendant and I separated on _____ and we have remained in a bona fide state of separation since that date.

6.

Settlement Agreement (Check only one)

(a) The Defendant and I have entered into a Settlement Agreement, which we both want to be incorporated into the Final Judgment and Decree of Divorce. The Settlement Agreement has been signed by each of us in front of a notary public, and I am filing the Settlement Agreement with the Court, together with this Complaint.

(b) The Defendant and I have **not** entered into a Settlement Agreement. I acknowledge that pursuant to the Atlantic Circuit's Standing Order Mandating Alternative Dispute Resolution, I am required to either submit this case to mediation or be exempted from the Order's requirement. I further acknowledge that any exemption must be signed by the Circuit's ADR Director.

7.

Minor Children

The Defendant and I do not have any minor children together and neither of us are currently pregnant. *[If you and the Defendant have minor children together, you must use a different Divorce Complaint form.]*

8.

Alimony (Choose only one)

(a) I am financially dependent on the Defendant and need the Court to order the Defendant to pay alimony for my support.

(b) I am not asking for alimony.

9.

Marital Property (Choose only one)

(a) The Defendant and I have already divided our marital property and we are both satisfied with the division.

(b) The Defendant and I have not obtained any property during our marriage.

(c) The Defendant and I have obtained property during our marriage, and I am asking for a fair division of this property. All of our property is listed on a separate sheet attached to this Complaint.

10.

Joint or Marital Debt (Choose only one – do not include account numbers)

(a) The Defendant and I do not have any outstanding joint or marital debts.

(b) The Defendant and I have the following outstanding joint or marital debts, and the responsibility for paying them should be as listed below:

Creditor	Balance	Who Should Pay

Attach an additional sheet of paper, if necessary.

11.

Restraining Order (Check only if applicable)

There is a history of physical violence by the Defendant toward me, and I am afraid that the Defendant will engage in further acts of violence or harassment toward me unless the Court

enters a temporary and permanent restraining order. I hereby request and give my consent for the Court to enter a mutual restraining order.

12.

Restore Former of Maiden Name (Check only if applicable)

- I am asking the Court to restore my former or maiden name, which is:

_____.

13.

Grounds for Divorce (Check the ones that you can prove at trial.)

(a) Our marriage is irretrievably broken. The Defendant 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: (check all that apply)

- (a) That process and summons issue as provided by law;
- (b) That Defendant be served with a copy of this Complaint;
- (c) That I be granted a total divorce from the Defendant, that is to say a divorce

a vinculo matrimonii;

(d) That the Settlement Agreement signed by the parties be incorporated into the Final Judgment and Decree of Divorce.

- (e) That the Defendant be ordered to pay me alimony for my support;
- (f) That our marital property be divided as set forth above;

- (g) That our joint or marital debts be divided as set forth above;
- (h) That the Court enter a mutual restraining order enjoining and restraining the

parties from doing or threatening to do any act of injury, maltreating, harassing, harming, or abusing the other party;

- (i) That my former or maiden name be restored to be as set forth above;
- (j) That the Court order any and all other relief that the Court deems proper.

Date: _____

Plaintiff *Pro Se* (Signature)

Name: _____

Address: _____

Phone: _____

E-mail: _____

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STATE OF GEORGIA

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Civil Action No. _____

VERIFICATION

I am the Plaintiff filing this action. I swear and affirm that I have read the Complaint for Divorce Without Minor Children and that the facts contained within my Complaint are true and correct.

Plaintiff (Signature)

Sworn to and subscribed before me
this _____ day of _____, 20_____.

NOTARY PUBLIC