

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

\_\_\_\_\_  
Plaintiff

v.

Civil Action File No. \_\_\_\_\_

\_\_\_\_\_  
Defendant

**COMPLAINT FOR DIVORCE**

Plaintiff, \_\_\_\_\_ [Name], comes before this Court and shows this Court as follows:

**1.**

**Residence requirement (Choose only one: a, b, or c)**

- Plaintiff is a resident of \_\_\_\_\_ County, Georgia and has been a resident of Georgia for at least six months prior to the filing of this action.
- Plaintiff is a resident of \_\_\_\_\_ County, Georgia and has resided at the \_\_\_\_\_ military post for at least one year before filing this petition.
- Plaintiff is not a resident of the State of Georgia, but Plaintiff's spouse has been a resident of the state of Georgia and the county of \_\_\_\_\_ for at least six (6) months prior to my filing this action.

**2.**

**Venue (Choose only one: a or b)**

- Defendant is a resident of \_\_\_\_\_ County, Georgia and has acknowledged service of the Complaint and Summons and has waived further service of process.
- Defendant is a resident of \_\_\_\_\_ County, \_\_\_\_\_ [State] and has signed an ACKNOWLEDGMENT OF SERVICE AFFIDAVIT OF WAIVER OF VENUE AND PERSONAL JURISDICTION.

3.

**Date of Marriage (Choose only one: a or b)**

- Plaintiff and Defendant were lawfully married on \_\_\_\_\_ [Date].
- Plaintiff and Defendant are common law married, having entered into a common law marriage before January 1, 1997 as of \_\_\_\_\_ [Date].

*Note: Common law marriage was abolished in Georgia on January 1, 1997.*

4.

**Date of Separation**

- The Defendant and I separated on \_\_\_\_\_ [Date] and have remained in a bona fide state of separation since that date.

5.

**Minor Children of the Marriage**

- There are no minor children born of the marriage and the wife is not now pregnant.

6.

**Grounds for Divorce**

- Plaintiff is entitled to a divorce upon the statutory grounds that the marriage is irretrievably broken and there is no hope of reconciliation, O.C.G.A. § 19-5-13(13).

7.

**Settlement Agreement**

- The parties have entered into a settlement agreement that resolves all issues as to an equitable division of property and debts.

WHEREFORE, Plaintiff respectfully requests:

- a) That the parties herein be totally divorced;
- b) That the Court adopt and incorporates the parties' settlement agreement into a final judgment and decree in this matter.
- c) That the Wife's name be restored to her former name, which was:  
\_\_\_\_\_ [Name].
- d) That the Plaintiff have such other and further relief as this Court deems equitable and just.

Respectfully submitted, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Plaintiff *pro se*  
[Signature/ No Notary Public needed]

\_\_\_\_\_  
\_\_\_\_\_  
Plaintiff's Address

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

\_\_\_\_\_  
Plaintiff

v.

Civil Action File No. \_\_\_\_\_

\_\_\_\_\_  
Defendant

**VERIFICATION**

Personally appeared before me the undersigned who on oath states that the facts set forth in this Complaint are true and correct to the best of her knowledge and belief.

\_\_\_\_\_

Plaintiff *pro se*

[Sign in presence of Notary Public]

Sworn and subscribed before me

This \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public, State of Georgia

My Commission Expires \_\_\_\_\_.

**IN THE SUPERIOR COURT OF CARROLL COUNTY**

**STATE OF GEORGIA**

\_\_\_\_\_  
Plaintiff

v.

Civil Action File No. \_\_\_\_\_

\_\_\_\_\_  
Defendant

**DEFENDANT'S ACKNOWLEDGMENT OF SERVICE AFFIDAVIT OF WAIVER OF  
VENUE AND PERSONAL JURISDICTION.**

I, \_\_\_\_\_ [Name], the named Defendant in the above-styled case, after being duly sworn do hereby depose and say that I am a resident of \_\_\_\_\_ County, \_\_\_\_\_ [State], and that the Plaintiff in the above-styled case is a resident of \_\_\_\_\_ County, Georgia. I affirm that I have received a copy of said Petition/Complaint, and I hereby waive any and all further notice, service, and issuance of process.

After being duly informed that I have a constitutional right to a trial by judge or jury on the above matter in the county of my residence, and with that knowledge, I hereby expressly waive my right to venue in the county of my residence, and consent to venue and personal jurisdiction in the county of this superior court.

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_

Defendant Affiant

[Sign in presence of Notary Public]

\_\_\_\_\_

Notary Public

Sworn to subscribed before me

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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

\_\_\_\_\_  
Plaintiff

v.

Civil Action File No. \_\_\_\_\_

\_\_\_\_\_  
Defendant

**CONSENT TO TRIAL 31 DAYS AFTER SERVICE AND WAIVER OF RIGHT TO  
TRIAL BY JURY**

Both of the above parties, as indicated by their signatures below, waive their right to trial by jury and consent to the hearing and granting of a divorce in this action any time thirty-one (31) days after the filing of the acknowledgment of service or after service having been perfected.

\_\_\_\_\_  
Plaintiff *pro se*

Sworn to and subscribed before me  
This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public, State of Georgia

My Commission Expires \_\_\_\_\_.

---

Defendant *pro se*

Sworn to and subscribed before me

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_

Notary Public, State of Georgia

My Commission Expires \_\_\_\_\_.



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

\_\_\_\_\_  
Plaintiff

v.

Civil Action File No. \_\_\_\_\_

\_\_\_\_\_  
Defendant

**SETTLEMENT AGREEMENT**

This is an agreement by and between \_\_\_\_\_ (hereinafter referred to as "Wife") and \_\_\_\_\_ (hereinafter referred to as "Husband").

WHEREAS, the parties are married but are currently living in a bona fide state of separation;

WHEREAS, the parties desire to settle between themselves all questions of division of property, alimony, and all other rights and obligations arising out of their marital relationship.

NOW THEREFORE, in consideration of the mutual covenants hereinafter contained, the parties agree to as follows.

**1.**

**Separation**

- The parties shall continue to live separate and apart and each shall be free from interference, molestation, authority and control, direct or indirect, by the other as fully as if sole and unmarried, and each may reside at such place or places as he or she may select.

**2.**

**Alimony (Choose only one; a or b)**

- a) The Husband/Wife shall pay to the Husband/Wife as alimony the sum of \$ \_\_\_\_\_ per week/month to be paid beginning on \_\_\_\_\_ [Date] and to continue thereafter until the Husband/Wife remarries or dies.
- b) The parties hereby expressly waive alimony for the past, present and future.

**3.**

**Division of Property (Choose only one: a or b)**

- a) The parties have no marital property subject to equitable division.
- b) The parties have previously divided their marital property to their mutual satisfaction.
- c) The parties acknowledge that they possess various items of jointly owned property, which shall be divided as follows.

1) To the Wife:

---

---

---

---

2) To the Husband:

---

---

---

---

**4.**

**Division of Debts (Choose only one: a or b)**

- a) The parties acknowledge that they have no outstanding joint debts.
- b) The parties agree to the division of debts as indicated below:

Creditor	Amount	Responsible Party
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

The responsible party indemnifies and holds harmless the non-responsible party for any collection on these obligations.

5.

**Name Restoration**

The parties request that the wife’s name be restored to \_\_\_\_\_ [former name].

6.

**Binding Agreement**

o The parties acknowledge that they have entered into this Agreement freely and voluntarily and that it is not the result of any duress or any undue influence. This Agreement constitutes the entire understanding of the parties. There are no representations, warranties, covenants, or undertakings other than those expressly set forth herein.

7.

**Agreement enforceable with or without divorce**

o It is expressly understood that this Agreement does not obligate the parties to continue to live in a state of separation or to proceed with an action for divorce. However, in the event that either party shall bring or maintain an action for dissolution of the marital relationship, this Agreement shall be presented to the court and incorporated by reference into any judgment or decree concerning the matters provided herein. Notwithstanding such incorporation, this Agreement shall survive and be enforceable independently of the judgment or decree.

This Agreement is entered into this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

---

Plaintiff *pro se*

Sworn to and subscribed before me

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

---

Notary Public, State of Georgia

My Commission Expires \_\_\_\_\_.

---

Defendant *pro se*

Sworn to and subscribed before me

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

---

Notary Public, State of Georgia

My Commission Expires \_\_\_\_\_.

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

\_\_\_\_\_  
Plaintiff

v.

Civil Action File No. \_\_\_\_\_

\_\_\_\_\_  
Defendant

**MOTION FOR JUDGMENT ON PLEADINGS**

Comes now \_\_\_\_\_ [Name] Plaintiff in the above styled action,  
and files this Motion for Judgment on Pleadings in the above styled case as follows:

1.

The Complaint in the above-styled case was filed on \_\_\_\_\_ [Date].

2.

The Defendant was served or Acknowledged Service on \_\_\_\_\_ [Date]

3.

A Settlement Agreement was entered into between the parties and was filed on  
\_\_\_\_\_ [Date].

WHEREFORE, there being no contested issues of law or fact, the Plaintiff moves this  
Court for a Judgment on the Pleadings in the above-styled case.

Respectfully submitted,

\_\_\_\_\_  
Plaintiff *pro se*

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

\_\_\_\_\_  
Plaintiff

v.

Civil Action File No. \_\_\_\_\_

\_\_\_\_\_  
Defendant

**FINAL JUDGMENT AND DECREE**

Upon consideration of this case, upon evidence submitted as provided by law, it is the judgment of the Court that a total divorce be granted, that is to say, a divorce *a vinculo matrimonii*, between the parties to the above stated case upon legal principles.

It is considered, ordered, and decreed by the Court that the marriage contract heretofore entered into between the parties to this case, from and after this date, be and is set aside and is dissolved as fully and effectually as if no such contract had ever been made or entered into.

Petitioner and Respondent in the future shall be held and considered as separate and distinct persons altogether unconnected by any nuptial union or civil contract whatsoever and both shall have the right to remarry.

The Court restores to \_\_\_\_\_ [Party] her maiden name, to wit:

\_\_\_\_\_.

The settlement agreement entered into between the parties and filed with the court on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, is hereby incorporated into and made a part of this Final Judgment and Decree of Divorce.

Each party is hereby restrained and enjoined from molesting or harassing the other party.

SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
JUDGE, Carroll County Superior Court

Coweta Judicial Circuit