

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA
FAMILY DIVISION

Petitioner: _____,

and

Respondent: _____.

Civil Action File No.: _____

PETITION FOR CHANGE OF CUSTODY AND CHILD SUPPORT

I, _____, representing myself, state my claim for a change of custody and child support against _____, the Respondent, as follows:

1. Subject Matter Jurisdiction:

Georgia has subject matter jurisdiction over the issue of Change of Custody as follows:

(a) There is a Georgia Superior Court Order concerning custody as set forth in paragraph 3 and;

(b) The minor child(ren):

<u>Full Name</u>	<u>Male/Female</u>	<u>Date of Birth</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

have been residents of Georgia for at least six months prior to filing this Petition for Change of Custody such that Georgia is the home state of the minor child(ren).

2. Venue and Service:

The Respondent is subject to the jurisdiction of this court as follows:
(Check a, b, c, or d)

☐ a) **Personal Service:** The Respondent is a resident of _____ County and is subject to the jurisdiction of this Court and may be served with a copy of this petition and summons at the following address:

_____.

☐ b) The Respondent has signed the following documents attached to the Petition:

____ **Acknowledgment of Service**

____ **Waiver of Venue** (where the Respondent is not a resident of _____ County)

If you require materials in alternate format, please notify the Family Law Information Center as soon as possible.

____ **Waiver of Jurisdiction** (where the Respondent is not a resident of Georgia)
____ **Consent to Custody**

- ☐ c) **Personal Service by Second Original:** I am a resident of _____ County. I have had physical custody of the minor child(ren) for at least six months prior to filing this Petition. The Respondent left the minor child(ren) with me on _____ and has abandoned the child(ren). The Respondent is a former resident of Georgia but now resides in _____ (State) and shall be personally served by second original pursuant to the Domestic Relations Long Arm Statute O.C.G.A. ' 9-10-91(5) at his/her address at _____

_____.

- ☐ d) **"Service by Publication":** I am a resident of _____ County. I have had physical custody of the minor children for at least six months prior to filing this Petition. The Respondent left the minor children with me on _____ and has abandoned them. I do not know where the Respondent is living now. The Respondent shall be served by Publication.

3. Original Custody Order:

Pursuant to _____ (Name of order awarding custody) in Civil Action, File No.: _____ entered on _____, 19__ in the Superior Court of _____ County, Georgia, hereinafter referred to as "Order" a copy of which is attached to the Petition, the Respondent was awarded the following type of custody of the minor child(ren):

(Check all that apply):

- a) sole legal and physical custody of the minor child(ren);
- b) joint legal custody and Respondent/Petitioner is the primary physical custodian of the minor child(ren);
- c) joint physical custody
- d) other: _____

4. Children's Place of Residence:

The minor child(ren) currently reside at _____ with _____. During the past five years, the minor child(ren) have lived at the addresses below with the following persons:

<u>Address:</u>	<u>Resided with:</u>
_____	_____
_____	_____
_____	_____

5. Other Custody Actions:

(Check a or b)

- ☐ a) I have not participated as a party, or witness, or in any capacity in any other litigation concerning the custody of the minor child(ren) in this or any other state except for the initial custody action as described in the Order set forth in paragraph (3) above. I do not know of any custody proceeding concerning the minor child(ren) which may be pending in a Court in this or any other state.
- ☐ b) The minor child(ren) have been involved in the following custody actions.

County: _____
State: _____
Court: _____
Type of Action: _____
Date Filed: _____
Status: _____

County: _____
State: _____
Court: _____
Type of Action: _____
Date Filed: _____
Status: _____

6. Other Persons with Claims to Children:

(Check a or b)

- ☐ a) I know of no other person, not a party to this proceeding, who has physical custody of the child(ren) or claims to have custody or visitation rights with respect to the minor child(ren).
- ☐ b) The following persons who are not a party to this proceeding have custody or visitation rights with the minor child(ren):

Full Name

Claim

7. Material Change in Circumstance:

Since the date of the Order, there has been a change in circumstances materially affecting the welfare of the minor child(ren) as follows:

8. Fit and Qualified Parent:

I am a fit and capable parent and am otherwise qualified to have full custody of the minor child(ren).

9. Custody Modified as follows:

Therefore, I desire that custody, as set out in the Order, be modified as follows:

If you require materials in alternate format, please notify the Family Law Information Center as soon as possible.

10. Current Child Support Order:

- a) I am currently under an order to pay child support in the amount of \$ _____ and I want the child support order to be terminated.
- b) I am currently under an order to pay child support in the amount of \$ _____ and I request that the child support stay the same.
- c) I am currently under an order to pay child support in the amount of \$ _____ and I request that the child support be lowered.
- d) I am not under a court order to pay child support.

11. Request for Child Support:

(Check a, b, c, d or e)

- a) I am employed by _____ earning _____ per month. The Respondent is an able bodied person capable of earning sufficient money to support the minor child(ren). Respondent is employed by _____ earning _____ per month, and I am in need of financial assistance from the Respondent for the support of the minor child(ren).
- b) I am not requesting a change in child support.
- c) This Petition was served by publication, and the issue of child support cannot be decided in this action.
- d) The Respondent is a nonresident and the issue of child support cannot be determined by this Court.
- e) Other: _____
_____.

FOR THESE REASONS, I request

- a) That a Rule Nisi be issued directing the Respondent to show cause why my prayers should not be granted;
- b) That the Order be modified so as to provide for the requested change in custody of the minor child(ren) and child support;
- c) That the Respondent be served with a copy of my Petition for Change of Custody and Child Support;
- d) That the original order granting child support to Respondent be terminated;
- e) That the Respondent be ordered to pay me child support; and
- f) Any other appropriate relief.

This _____ day of _____, _____.

Respectfully submitted,

Signature

Pro Se

Name (*print or type*): _____

Address: _____

Telephone Number: (____) _____