

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

Petitioner: _____,
and
Respondent: _____.

Civil Action
File No. _____

PETITION FOR CUSTODY OR VISITATION

I, _____, representing myself, state that:

1. Subject Matter Jurisdiction

a) I am the Petitioner in this action.

b) Respondent and I are the parents of _____ minor child(ren):

<u>Full Name of child</u>	<u>Sex(m/f)</u>	<u>Date of Birth</u>	<u>Resides with Mother/ Father/other</u>
_____	___	_____	_____
_____	___	_____	_____
_____	___	_____	_____

c) I am the father of the minor child(ren). I legitimated the minor child(ren) pursuant to my Petition for Legitimation, in the Superior Court of _____ County, Civil Action File No. _____, said Petition having been granted by Judge _____ on _____. See the Order for Legitimation attached as Exhibit AA@.

d) The minor child(ren) have resided in Georgia for at least six months prior to filing this Petition for Custody.

2. Venue and Service

The Respondent's name is _____ . Respondent is the mother of the minor child(ren).

(Check only one: (a),(b),(c), or (d))

a) The Respondent is a resident of _____ County and is subject to the jurisdiction of this Court. *(Check (1), (2), (3), or (4))*

1) The Respondent has consented to the jurisdiction of this Court and has acknowledged service of process and jurisdiction of this Court. *(Check the box below if you and the mother have an agreement concerning custody that you want the court to adopt as your order.)*

Attached to this Petition for Custody is an Agreement which the Respondent and I desire to be incorporated into our final order.

2) The Respondent may be served at Respondent's residence address of _____.

3) The Respondent may be served at Respondent's work address of _____.

The Respondent works in _____ County and shall be served by second original.

4) The Respondent is a resident of _____ County but her whereabouts are unknown to me as shown by my Affidavit of Due Diligence attached hereto and incorporated by reference, marked Exhibit AB@. The Respondent shall be served by publication as is provided by law in the case of those who cannot be found pursuant to O.C.G.A. 9-11-4(e).

b) The Respondent is not a resident of the State of Georgia, but I am a resident of _____ County and *(check (1), (2), or (3))*

1) The minor child(ren) have resided with me for at least six months prior to filing this Petition for Custody as a result of the Respondent leaving them with me. *(Check a or b)*

a) The Respondent formerly lived in Georgia and presently is a resident of the State of _____. The Respondent may be served by second original pursuant to the Long Arm Statute, O.C.G.A. ' 9-10-91(5). Respondent may be served at Respondent's home/work address at _____.

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

b) The Respondent has never resided in the State of Georgia and currently resides in the State of _____. Georgia does not have personal jurisdiction over the mother, but does have personal jurisdiction over the issue of custody. The Respondent shall be personally served by second original as is provided by law in the case of those who cannot be found within the State pursuant to O.C.G.A. ' 9-11-4(e)(2) at Respondent's home/work address of _____.

Attached to this petition is Petitioner's Order and Motion to Have Respondent Personally Served by Second Original.

2) The Respondent's whereabouts are unknown to me as shown by my Affidavit of Due Diligence attached hereto and incorporated by reference, marked Exhibit AB@. The Respondent shall be served by publication as is provided by law in the case of those who cannot be found within the State pursuant to O.C.G.A. 9-11-4(e).

3) The Respondent has consented to the jurisdiction of this Court and has acknowledged service of process and jurisdiction of this Court. *(Check the box below if you and Respondent have an agreement concerning custody that you want the court to adopt as your order.)*

Attached to this Petition for Custody is an Agreement which the Respondent and I desire to be incorporated into our final order.

c) The Respondent is a resident of _____ County, and I live in _____ County. The Respondent has consented to the jurisdiction of this Court and has acknowledged service of process and jurisdiction of this Court. *(Check the box below if you and Respondent have an agreement concerning custody that you want the court to adopt as your order.)*

Attached to this Petition for Custody is an Agreement which the Respondent and I desire to be incorporated into our final order.

d) I live in _____ County. The Respondent's whereabouts are unknown to me as shown by my Affidavit of Due Diligence attached hereto and incorporated by reference, marked Exhibit AB@. The Respondent shall be served by publication as is provided by law in the case of those who cannot be found within the State pursuant to O.C.G.A. 9-11-4(e).

3. Request for Custody

I am entitled to custody of the minor child(ren) as follows:

(Check the type of custody you want.)

Physical Custody:

- Joint physical custody
- Sole physical custody
- Primary physical custody

Legal Custody:

- Joint legal custody
- Sole legal custody

(what time period do you want the child(ren) to live with you.) _____

- Secondary physical custody

(what time period do you want the child(ren) to live with you) _____

4. Request for Visitation

I desire to be awarded visitation with the minor children as set forth in Exhibit AC@.

5. Addresses of the child(ren)

(Please complete)

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

Address

Resided with

6. 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. 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 custody action	Date Filed	Status

7. Other person with rights to the child(ren)

(check (a) or (b))

a) I know of no other person, not a party to this proceeding, who has physical custody of the children 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).

Name	Claim

8. Child Support

I am employed by _____ earning _____ per month.

a) I am in need of financial assistance from the Respondent for the support of the minor child(ren).

b) 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.

c) Georgia does not have personal jurisdiction over the mother, so the issue of

child support cannot be decided in this action.

9. Health Insurance

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

a) Respondent should be ordered to maintain a policy for dental, medical, and hospitalization insurance for the minor child(ren). Respondent should also be responsible for any other expenses for the child(ren)-s medical or dental treatment, if such expenses are not covered by insurance policies.

b) Respondent and I should share the costs of dental, medical, and hospitalization insurance for the minor child(ren).

c) Georgia does not have personal jurisdiction over the mother, so the issue of health insurance cannot be decided in this action.

10. Life Insurance

(Check (a) or (b))

a) Respondent should be ordered to maintain life insurance for the benefit of the minor child(ren).

b) Georgia does not have personal jurisdiction over the mother, so the issue of life insurance cannot be decided in this action.

FOR THESE REASONS, I request

(Check all that apply)

a) That a Rule Nisi be issued directing the Respondent to show cause why my prayers should not be granted;

b) That I be awarded custody as follows:

- 1) Sole legal and physical custody of the minor child(ren)
- 2) Joint legal and joint physical custody of minor child(ren)
- 3) Primary physical and joint legal custody
- 4) Secondary physical and joint legal custody
- 5) Other: _____

c) That I be awarded visitation with the minor children as set forth in Exhibit "C" attached hereto;

- d) Child Support;
- e) Medical, Dental and Hospitalization insurance for the child(ren);
- f) Life Insurance for the benefit of the minor child(ren);
- g) That all issues of child support, health insurance for the minor child(ren), life insurance for the minor child(ren) be held in abeyance until such time as this court has personal jurisdiction over Respondent;
- h) Respondent be served with a copy of my Petition for Custody or Visitation; and
- i) That the attached Agreement for Custody be made the final order of this Court; and
- j) Any other appropriate relief.

This _____ day of _____, _____ .

Respectfully submitted,

Signature Pro Se
 Petitioner's Name (*print or type*): _____
 Petitioner's Address: _____

 Petitioner's telephone number: (____) _____