

IN THE SUPERIOR COURT OF _____ COUNTY

STATE OF GEORGIA

_____, §
Plaintiff, §
v. Civil Action §
File No. _____
_____, §
Defendant. §

COMPLAINT FOR MODIFICATION OF CHILD SUPPORT

1.

Jurisdiction and Venue (Choose a, b, or c)

___ a) The Defendant is a resident of _____ County, Georgia, which is where I am filing, and may be personally served with a copy of this complaint and summons at _____.

___ b) The Defendant is a resident of _____ County, Georgia, which is where I am filing, and has signed an acknowledgement of service.

___ c) The Defendant is not a resident of the State of Georgia, but is a resident of _____ and the Plaintiff lives here in _____ County, Georgia. The Defendant can be personally served at _____.

2.

Prior Child Support Order

On _____, 20_____, the Superior Court for the County of _____, Civil Action No. _____, issued a final judgment and decree awarding permanent child support to _____. The judgment provided for periodic _____.

payments to _____
as follows: _____

3.

Financial change in circumstances

Since _____, 20____, there has been a substantial downward or upward change in the income or financial status of the Defendant which decreases his or her ability to pay the alimony and/or child support previously awarded.

4.

Financial change in circumstances--specifics (choose a and/or b)

____ a) Specifically, at the time of the final judgment and decree, _____ was earning \$ _____ per month, although as of _____, 20____ his or her gross earnings have been decreased or increased to \$ _____ per month.

____ b) Specifically, at the time of the final judgment and decree, the net worth of _____ was \$ _____, although as of _____, 20____, his or her net worth has decreased to \$ _____.

5.

Other change in circumstances

Since the final judgment and decree, there have been other changes in circumstances which make a modification in the best interests of the children. The other changes in circumstances include: _____

6.

Proposed modification (check all that apply)

____ As a result of these other changes in circumstances, the child support award should be modified as follows: _____

_____.

____ A different method of payment: _____
_____.

____ A different time/sequence of payment: _____
_____.

____ A different party responsible for maintaining health insurance: _____
_____.

____ Other: _____
_____.

7.

No modification in the last two years

There has been no previous petition for modification filed within two years of this complaint.

THEREFORE, Plaintiff prays:

____ a) That the final judgment and decree awarding periodic payments of alimony and child support be modified so as to _____
_____;

and

____ b) That the Plaintiff have such additional relief as the Court may consider equitable and appropriate.

Plaintiff *pro se*

Address: _____

Telephone number(s): _____

IN THE SUPERIOR COURT OF _____ 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 his/her knowledge and belief.

Plaintiff *pro se*

Sworn to and subscribed before me

this _____ day of _____, 20_____.

Notary Public, State of Georgia

My Commission Expires: _____

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing COMPLAINT FOR MODIFICATION OF CUSTODY upon the following _____ counsel for _____ [party] OR _____ [party if no counsel of record] by delivering or causing to be delivered by hand a copy of same as follows: _____

[Name and address of counsel of record, or of parties if no counsel of record.]

This _____ day of _____, 20_____.

Plaintiff *pro se*

Address: _____

Telephone Number(s): _____

IN THE SUPERIOR COURT OF _____ COUNTY

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ACKNOWLEDGEMENT OF SERVICE AND SUMMONS

The undersigned Defendant hereby acknowledges service of the above Summons and Complaint for Modification of Child Support and states that (s)he has received a copy of said Complaint, and Defendant hereby waives any further service of process.

This the _____ day of _____, 20_____.

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 _____ COUNTY

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**DEFENDANT’S ACKNOWLEDGEMENT OF SERVICE
AFFIDAVIT OF WAIVER OF VENUE AND PERSONAL JURISDICTION**

I, _____, 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.

Affiant

Sworn to and subscribed before me

This _____ day of _____, 20_____.

Notary Public, State of Georgia

My Commission Expires: _____

IN THE SUPERIOR COURT OF _____ COUNTY

STATE OF GEORGIA

_____,) CIVIL ACTION NUMBER:
PETITIONER)
)
) _____
)
)
_____,)
RESPONDENT)

RULE NISI

This action has been filed. Therefore, let the parties appear before the Honorable Judge _____, in the Superior Court of _____ County, Augusta Judicial Circuit, _____, _____, Georgia, room _____ on the _____ day of _____, _____, at _____ o'clock _____.m. to show cause why the relief sought should not be granted.

So ORDERED this _____ day of _____, _____.

SUPERIOR COURT JUDGE/CLERK
Augusta Judicial Circuit

IN THE SUPERIOR COURT OF _____ COUNTY

STATE OF GEORGIA

_____, §
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MODIFICATION AGREEMENT

This is an agreement for modification of child support by and between
_____, (hereinafter referred to as "Father") and
_____, (hereinafter referred to as "Mother").

WHEREAS, the child(ren) born to the parties is/are:

Name: _____ DOB: _____
Name: _____ DOB: _____
Name: _____ DOB: _____
Name: _____ DOB: _____

WHEREAS, the parties desire to settle between themselves all questions
related to the modification of child support:

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

1.
Child Support

GO TO HTTP://WWW.GEORGIA COURTS.ORG/CSC/ AND
COMPLETE THE CHILD SUPPORT WORKSHEET

_____ The Father/Mother shall pay to the Father/Mother, as support of the
minor child(ren), the sum of \$ _____ per week/bi-weekly/monthly,

starting on _____, and continuing per week/bi-weekly/monthly thereafter until each respective child reaches the age of eighteen (18), or so long as the child is enrolled in and attending secondary school (not to exceed age twenty (20)), marries, dies, or becomes otherwise emancipated. The child support obligation shall be reduced as follows as each child becomes emancipated:

This amount was derived from line 13 of the Child Support Worksheet, which is attached hereto as Exhibit 1.

2.

Child support during extended periods of visitation

_____ In the event the child(ren) visit(s) with the non-custodial parent for one month or longer, the custodial parent shall pay to the non-custodial parent the usual amount of child support, which is \$ per _____ (week/biweekly/month).

3.

Child support method of payment (Check a or b)

_____ a) All payments of child support shall be paid directly to the Father/Mother at the following address: _____
_____.

No Income Deduction Order will be entered into at this time. However, when ever, in violation of the terms of this Agreement, there shall have been a failure to make the support payments due hereunder so that the amount unpaid is equal to or greater than the amount payable for one (1) month, the payments required to be made may be collected by the process of continuing garnishment for support. In the event Husband/Wife fails to pay any child support obligation in this Agreement on a timely fashion on any three (3) occasions in any twelve (12) month period, the parties agree that an Income Deduction Order shall then be entered.

_____ b) All payments of child support shall be paid by the non-custodial parent's employer pursuant to an Income Deduction Order.

_____ c) All payments of child support shall be paid to Georgia Child Support Enforcement pursuant to an Income Deduction Order.

4.

Health Insurance

The Father/Mother shall maintain a policy of medical, dental, and hospitalization insurance for the benefit of the minor child(ren) for so long as the child support obligation set forth herein exists. Costs not covered under the insurance policy shall be divided between Father and Mother as follows:

The Father/Mother shall provide the Father/Mother with an insurance identification card or such other acceptable proof of insurance coverage and shall cooperate with the Father/Mother in submitting claims under the policy.

5.

Voluntariness of Agreement

_____ 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.

6.

Agreement as entire understanding

_____ This Agreement constitutes the entire understanding of the parties. There are no representations, warranties, covenants, or undertaking other than those expressly set forth herein.

IN WITNESS WHEREOF, the parties have signed their names, this _____ day of _____, 20_____.

MOTHER

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

Notary Public, State of Georgia
My Commission Expires: _____

FATHER

Sworn to and subscribed before me

This _____ day of _____, 20_____.

Notary Public, State of Georgia

My Commission Expires: _____