

SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

_____,
Petitioner,
v. _____,
Respondent.

Civil Action
Case Number _____

**PETITION FOR MODIFICATION OF CUSTODY
AND CHILD SUPPORT**

My name is _____ and I am representing myself in this modification petition. In support of my case, I state the following:

1. **Jurisdiction and Venue:**

[Check only one of the following, either (a), (b) or (c).]

- ___(a) The Respondent is a resident of Fulton County, Georgia and is subject to the jurisdiction of this Court.
- ___(b) The Respondent is a resident of _____ County, Georgia, but I live in Fulton County. The Respondent has acknowledged service of process and consented to the jurisdiction and venue of this Court.
- ___(c) The Respondent is not a resident of Georgia, but this Court has exclusive, continuing jurisdiction to modify custody because a Georgia court has made a prior custody determination, and the children or a party to that case lives in Fulton, County, Georgia, OCGA § 19-9-62(a).

2. **Service of Process:** The Respondent shall be served as provided under OCGA § 9-11-4, in the following manner:

[Check only one, either (a) or (b).]

- ___(a) The Respondent may be served by the Sheriff's Department at the Respondent's ___ home / ___ work address, which is:

___(b) The Respondent has acknowledged service of process. I am filing the Acknowledgment of Service (which has been signed by the Respondent) with this Petition.

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

3. **Minor Children:**

The Respondent and I are the parents of _____ minor children, listed below:

<i>Name of Child</i>	<i>Male / Female</i>	<i>Year of Birth</i>

4. **Children's Current Residence:**

The minor children currently live at _____ in _____ County, _____ with the ___ Petitioner ___ Respondent ___ other: _____. The children have lived at this address since approximately _____.

5. **Children's Past Residences:**

During the past five years, the minor children have lived at the following addresses:

<u>Dates at Address</u>	<u>Address</u>
_____	_____
_____	_____
_____	_____

6. **Adults With Whom Children Have Lived:**

During the past five years, the children have lived with the following adults:

<u>Name of Person</u>	<u>Person's Current Address</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

7. **Prior Custody Determination:** On _____, the _____ Court of _____, County in the State of _____, Civil Action File Number _____ made a custody determination regarding custody of the minor children.

8. **Other Proceedings That Could Affect Custody of Visitation in This Case:**
[Check only one of these , either (a) or (b).]

___ (a) I do not have any information of any proceeding that could affect this case, including proceedings for enforcement and proceedings relating to family violence, protective orders, termination of parental rights, and adoptions in this or any other state.

___ (b) I have information about a proceeding that could affect this case, including proceedings for enforcement and proceedings relating to family violence, protective orders, termination of parental rights, or adoptions in this or another state. The court, the case number and the nature of the proceeding are as follows:

9. **Others Claiming Custody or Visitation:**

[Check only one of these, either (a) or (b).]

___ (a) I do not know of any person who is not a party to this case, who has physical custody of the minor children or who claims to have custody or visitation rights with respect to the children.

___ (b) I know of someone who is not a party to this case who has physical custody

of the minor children or who claims to have custody or visitation right with respect to the children. The names and present addresses of the person(s) are:

_____.

10. Since the date of the prior custody determination, there has been a change in circumstances which materially affects the welfare of the minor children, which is described as follows:

_____.

11. I am a fit and capable parent, and I believe that the following custody arrangement is in the best interests of the children:

[Check only one of the following, either (a), (b) or (c).]

(a) I should have sole legal and sole physical custody.

(b) The Respondent and I should share joint legal custody and I should have primary physical custody.

(c) Other: _____

_____.

12. My gross monthly income is _____ The Respondent's gross monthly income is \$ _____.

13. Current Child Support Order:

(a) I am currently under an order to pay child support in the amount of \$_____ per _____ 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 \$_____ per _____ 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 \$_____ per _____ and I request that the child support be lowered.

(d) I am not under a court order to pay child support and I am requesting child support from the Respondent.

(e) The Respondent is under an order to pay child support and I want the child

support to be increased.

___ (f) Other: _____.

THEREFORE, I request the following:

[Check all that apply.]

___ (a) That I be awarded sole legal and physical custody of the minor children;

___ (b) That I be awarded joint legal custody and sole physical custody of the minor children;

___ (c) Other: _____

_____;

___ (c) That the prior child support order be modified as requested;

___ (e) That a Rule Nisi be scheduled by the Court to decide on the relief I have requested;

___ (f) That the Respondent be required to pay all costs of this action; and,

(g) That the Court order any and all other relief that the Court finds appropriate.

Dated: _____

Petitioner, Pro se (Signature)

Name: _____

Address: _____

Email: _____

**IF YOU DO NOT HAVE AN EMAIL ADDRESS, FILL OUT A
CERTIFICATE OF NO EMAIL ADDRESS**

Telephone No.: _____

SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA
FAMILY DIVISION

_____,
Petitioner,
v. _____,
Respondent.

Civil Action
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VERIFICATION

I, _____, personally appeared before the undersigned notary public and, being duly sworn, state that the facts stated in the foregoing _____ are true and correct.

This ___ day of _____, _____(year)

Petitioner, Pro se (Signature)

Name: _____

Email: _____

**IF YOU DO NOT HAVE AN EMAIL ADDRESS, FILL OUT A
CERTIFICATE OF NO EMAIL ADDRESS**

Telephone No.: _____

Sworn to before me this
___ day of _____, 20__.

Notary Public