

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

Plaintiff,

v.

Defendant.

Civil Action

File No.: _____

COMPLAINT FOR DIVORCE WITHOUT MINOR CHILDREN

My name is _____, and I am representing myself in this divorce action. In support of my case, I state as follows:

1. Subject Matter Jurisdiction: I am the Plaintiff in this action and:

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

- ☐ (a) I have been a resident of the State of Georgia for more than six (6) months immediately prior to filing this action.
- ☐ (b) I am not a resident of the State of Georgia, but my spouse has been a resident of the State of Georgia for at least six (6) months immediately prior to my filing of this action.

2. Venue: My spouse is the named Defendant in this action.

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

- ☐ (a) The Defendant is a resident of Cobb County and is subject to the jurisdiction of this Court.
- ☐ (b) The Defendant is no longer a Cobb County resident, but still lives in Georgia. The Defendant and I lived together in Cobb County at the time we separated. I still reside in Cobb County, and the Defendant has only moved away from Cobb County within the past six months before the date of my filing this action.
- ☐ (c) The Defendant is a Georgia resident but does not live in Cobb County. I live in Cobb County and the Defendant has acknowledged service of process and consented to the jurisdiction and venue of this Court.
- ☐ (d) The Defendant is not a resident of the State of Georgia, but I am a resident of Cobb County, Georgia, and:
- [Check only one of the following, either (1), (2), or (3).]*

☐ (1) The Defendant lives in the state of _____ and the Defendant was formerly a resident of the State of Georgia and is subject to the personal jurisdiction of the Court under Georgia's Long Arm Statute, OCGA § 9-10-91(5).

☐ (2) The Defendant lives in the state of _____ and the Defendant has never resided in the State of Georgia.

☐ (3) The Defendant has acknowledged service of process and consented to the jurisdiction and venue of this Court.

☐ (e) I am a resident of Cobb County and the Defendant's whereabouts are unknown to me. I am filing my Affidavit of Diligent Search with this Complaint and incorporate it here by reference.

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

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

☐ (a) The Defendant has acknowledged service of process. I am filing the Acknowledgment of Service (which has been signed by the Defendant) with this Complaint.

☐ (b) The Defendant may be served by the Sheriff's Office at the Defendant's residence/work address, which is:

☐ (c) The Defendant resides outside of Cobb County, and shall therefore be served by second original, as provided under OCGA § 9-10-72. Service shall be made by the sheriff's office of the county where the Defendant resides.

☐ (d) The Defendant's whereabouts are unknown to me. I am filing my Affidavit of Diligent Search with this Complaint. The Defendant 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 Defendant's last known address is:

4. Date of Marriage:

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

☐ (a) The Defendant and I were lawfully married on _____.

☐ (b) The Defendant and I are married by common law because we lived together and held ourselves out as husband and wife before January 1, 1997, beginning on _____.

5. Date of Separation: The Defendant and I last separated on _____ and we have remained in a true state of separation since that date.

6. Settlement Agreement:

[Check only if there is a signed agreement.]

☐ The Defendant and I have entered into a Settlement Agreement, which we both want to be incorporated into the Final Judgment and Decree for Divorce. The Settlement Agreement has been signed by each of us in front of a notary public, and I am filing the Settlement Agreement with the Court, together with this Complaint.

7. Minor Children: *[Check only one (1) box.]*

☐ (a) The Defendant and I do not have any minor children together.

☐ (b) The Defendant and I are the parents of minor children.

Note: STOP. If you and the Defendant have any minor children together, you must use the Divorce With Minor Children Complaint form.

8. Alimony: *[Check only one of these, either (a), (b), or (c).]*

☐ (a) I am financially dependent on the Defendant and need the Court to order the Defendant to pay alimony for my support.

☐ (b) I am not asking for alimony.

☐ (c) The issue of alimony cannot be decided in this action because the Court does not have personal jurisdiction over the Defendant.

9. Marital Property: *[Check only one of these, either (a), (b), (c) or (d).]*

☐ (a) The Defendant and I have already divided our marital property, and we are both satisfied with the division.

☐ All of our property is listed on our Settlement Agreement.

☐ (b) The Defendant and I have not obtained any property during our marriage.

☐ (c) The Defendant and I have obtained the following property during our marriage, and I am asking for a fair division of this property:

☐ All of our property is listed on a separate sheet attached to this Complaint.

☐ All of our property is listed below: *[Check and complete all that apply.]*

☐ House (address): _____

☐ Other Real Estate (address): _____

☐ Mobile Home (year, model): _____

☐ Pension(s) Plaintiff's, worth: _____
Defendant's worth: _____

☐ Motor Vehicles: *Year, Make, Model*

☐ Bank Accounts: *Name of Institution, Type of Account*

☐ Other property: _____

☐ (d) The issue of the division of marital property cannot be decided in this case because none of the property is in Georgia and the Court does not have personal jurisdiction over the Defendant.

10. **Joint or Marital Debts:** *[Check only one of these, either (a), (b), or (c).]*

☐ (a) The Defendant and I do not have any outstanding joint or marital debts.

☐ (b) The Defendant and I have the following outstanding joint or marital debts, and responsibility for paying them should be as listed below:

Creditor	Balance	Who Should Pay

☐ Listed on separate paper attached to this Complaint

☐ Listed in the signed Settlement Agreement

☐ (c) The issue of dividing joint or marital debts cannot be decided in this case because the Court does not have personal jurisdiction over the Defendant.

11. **Restraining Order Where Violence Has Occurred:** *[Check only if applicable.]*

☐ There is a history of physical violence by the Defendant toward me, and I am afraid that the Defendant will engage in further acts of violence or harassment toward me unless the Court enters a temporary and permanent restraining order.

12. **Restore Former or Maiden Name:** *[Check only if applicable.]*

☐ I am asking the Court to restore my former or maiden name, which is:

13. **Grounds for Divorce:** *[Check all that you can prove at trial.]*

My grounds for divorce from the Defendant are:

☐ (a) **Our marriage is irretrievably broken.** The Defendant and I can no longer live together and there is no hope that we will get back together.

☐ (b) **Cruel treatment:** The Defendant committed the following acts of cruel treatment toward me:

☐ (c) **Adultery:** The Defendant had sexual intercourse with someone else during our marriage.

☐ (d) **Desertion:** The Defendant has intentionally and continually deserted me for at least a year.

☐ (e) **Other grounds** from list in O.C.G.A. § 19-5-3, as explained here:

FOR THESE REASONS, I REQUEST THE FOLLOWING RELIEF:

[Check **all** that apply.]

- ☐ (a) That process and summons issue as provided by law;
- ☐ (b) That Defendant be served with a copy of this Complaint;
- ☐ (c) That I be granted a total divorce from the Defendant;
- ☐ (d) That the Settlement Agreement signed by the parties be incorporated into the Final Judgment and Decree of Divorce;
- ☐ (e) That the Defendant be ordered to pay me alimony for my support;
- ☐ (f) That our marital property be divided according to Paragraph 9;
- ☐ (g) That our joint or marital debts be divided according to Paragraph 10;
- ☐ (h) That the Defendant be temporarily and permanently restrained from harassing me or committing any acts of violence toward me;
- ☐ (i) That my former or maiden name be restored according to Paragraph 12;
- ☐ (j) That a Rule Nisi be scheduled by the Court, to decide on the temporary relief I have requested;
- ☐ (k) That the Court issue its Standing Order;
- ☐ (l) That the Court order any and all other relief that the Court finds appropriate.

Dated: _____

Signature of Plaintiff, *Self-Represented*

Name [print or type]: _____

Address: _____

Telephone: _____

Email: _____