

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

_____)	
Petitioner,)	
)	Civil Action No: _____
vs.)	
)	
_____)	
Respondent.)	

COMPLAINT FOR CHANGE OF CUSTODY

COMES NOW the Petitioner, _____, and states [his/her] claim against the Respondent, _____, for a change of custody as follows:

1. Jurisdiction and Venue (Check one:)

- (a) The Respondent is a resident of _____, Georgia and is subject to the jurisdiction of this Court.

- (b) The Respondent lives in Georgia, outside of _____ County, but I live in _____ 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 _____, 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 (a) or (b).]

- (a) The Respondent has acknowledged service of process.

- (b) The Respondent may be served by the Sheriff’s Department at the Respondent’s residence work address, which is:

3. Minor Children

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

Name of child	Sex	Birth Year	Lives with
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

4. Prior Residences of the child/children

The child(ren) has/have lived in the following places within the last five (5) years from the date of this Petition:

Address(es):

5. Prior Custody Determination

Date of order: _____

Name of Court: _____

County/Circuit and State where order was issued: _____

Legal custody was awarded to: _____

Physical custody was awarded to: _____

A certified copy of the prior order is attached as Exhibit "A."

6. Other Proceedings That Could Affect Custody or Visitation in This Case

[Check (a) or (b).]

(a) I am not aware of any proceeding that could affect this case, including DFCS cases, 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 am aware of a proceeding that could affect this case, including DFCS cases, proceedings for enforcement and proceedings relating to family violence, protective orders, termination of parental rights, The court, the case number and the nature of the proceeding are as follows:

_____.

7. Others Claiming Custody or Visitation: [Check 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 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 children or who claims to have custody or visitation rights with respect to the children. The names and current addresses of the person(s) are as follows:

8. Change in Circumstances

Since the date of the final decree, there has been a change in circumstances materially affecting the welfare of the minor child(ren) as follows (check all that apply):

(a) The Respondent has consented to the modification of custody. I am filing the Consent (which has been signed by the Respondent) with this Petition.

(b) The minor children want to live to me and have signed an Affidavit of Custody Election. I am filing the Affidavit(s) with this petition.

(c) The Respondent was awarded physical custody of the minor children in the prior custody determination, but the minor children have been living with me since _____.

(d) The Respondent is unable to care for the children because:

_____.

(e) The Respondent is an unfit parent because:

_____.

9. Child Custody and Visitation

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:*]

(a) I am qualified to assume full custody of the minor child(ren), and I should have legal and physical custody.

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

(c) The Respondent and I should share joint legal custody, but the Respondent should have primary physical custody, and I should have visitation.

(d) Other custody arrangement: _____.

10. Permanent Parenting Plan

I understand I am required to prepare a Parenting Plan which:

I am filing a Parenting Plan with this Petition OR

I will file a Parenting Plan before the first hearing in this case.

11. Child Support

I am requesting a modification of child support. A Domestic Relations Financial Affidavit and Child Support Worksheet:

- is being filed with this Petition OR
- will be filed before the first hearing in this case.

THEREFORE, I, the Petitioner, prays [*Check all that apply.*]:

- (a) That I be awarded legal custody and physical custody of the minor child(ren);
- (b) That the Respondent and I be awarded joint legal custody, and I be awarded physical custody of the minor child(ren);
- (c) That the other custody arrangement is ordered as specified above;
- (d) That the prior child support order be modified if the prior child custody determination is modified;
- (e) That a Rule Nisi be scheduled by the Court to decide on the relief I have requested;
- (f) That the Court order the parties to participate in mediation to try to resolve this matter;
- (g) That the Respondent be required to pay all costs of this action; and
- (h) That the Court order any and all other relief that the Court finds appropriate.

Respectfully submitted this _____ day of _____, 20____.

Petitioner pro se (sign)

(print name)

Address

Telephone