

DIVISION 3 – The Honorable Clarence F. Seeliger
DeKalb County Superior Court – Courtroom 7A; 7th floor Judicial Tower
Steps Involving Cases for Divorces with Minor Children

This information has been prepared for the self-represented litigant to use as a general step, outline of the divorce process. Please note this outline is not to be interpreted as a complete process, a complete list of resources, or legal advice. To determine additional legal remedies, which the law may allow, the self-represented litigant should seek the advice of legal counsel.

Step 1 begins process for Plaintiff (party filing Divorce action)
Step 4 begins process for Defendant (party served with Divorce action)

Step 1: Complaint Preparation and Filing

- Family Law Information Center (*see Resources available*)
- Law Library (*see Resources available*)
- Checklist before filing:
 - Complaint for Divorce
 - Verification of Complaint
 - Summons
 - Domestic Relations Financial Affidavit
 - Child Support Worksheet & Schedules
 - Proper service form
- Complaint is filed by Plaintiff in Clerk's Office (*see General information*)

Step 2: Service of Complaint

- Service by Sheriff's Office
 - Pay service fee at Clerk's Office when you file the case and leave the service copy with the clerk. The clerk will forward your payment and legal documents to the Sheriff's Office for service
- Acknowledgement of Service, if applicable (*see Family Law Information Center Resources available*)
- Publication, if applicable (*see Family Law Information Center Resources available*)

Step 3: Request for Temporary Hearing

- Either party may request a temporary hearing by submitting a Rule Nisi, (*see Family Law Information Center Resources available*), to the Judge's Calendar Clerk
- The Rule Nisi must have both parties' addresses at the bottom of the form
- Move to Step 5

Step 4: Answer Preparation and Filing

- Family Law Information Center (*see Resources available*)
- Law Library (*see Resources available*)
- Checklist before filing:
 - Answer
 - Verification of Answer
 - Domestic Relations Financial Affidavit
 - Child Support Worksheet & Schedules
 - Certificate of Service
- Answer is filed by Defendant in Clerk's Office (*see General information*)
- Serve Plaintiff with Answer and all documents filed

Step 5: Temporary Hearing

- 5 days before hearing date both parties must exchange updated Domestic Relations Financial Affidavits and Child Support Worksheets & Schedules
- Checklist for both parties to bring to hearing:
 - Domestic Relations Financial Affidavit
 - Child Support Worksheets & Schedules
 - Parenting Plan (*see Family Law Information Center Resources available*)
 - All Evidence to Support Case (i.e. paystubs, daycare receipts, health insurance costs, other child support orders, etc.)

Step 6: Divorcing Parents Seminar

- Schedule attendance (*see General information*)
- At the end of class you will be given a copy of the Certificate of Attendance; Keep a copy for your records
- Seminar Director will file Original Certificate of Attendance in Clerk's Office

Step 7: Dispute Resolution Center

- A written request signed by both parties must be taken to the Judge's Calendar Clerk to be referred to mediation (written request must include civil action number and signature of both parties)
 - *See General information under Dispute Resolution Center*
- If agreement is reached at mediation move to Step 8
- If agreement is not reached at mediation move to Steps 9 and 10

Step 8: Request for Final Hearing (if agreement is reached)

- Plaintiff to file the following documents in Clerk's Office:
 - Signed Settlement Agreement
 - Combined Child Support Worksheet & Schedules
 - Signed Parenting Plan
 - Signed Child Support Addendum
- Plaintiff may request final hearing by calling the Judge's Chamber 404-371-2336, after all signed mediation documents, *see above*, are filed

Step 9: Request for Final Hearing (if agreement is not reached)

- Plaintiff must send/take Request for Final Hearing form to the Judge's Calendar Clerk (*see Family Law Information Center Resources available*)

Step 10: Final Hearing (if agreement is not reached)

- 10 days before hearing date both parties must exchange updated Domestic Relations Financial Affidavits and Child Support Worksheets & Schedules
- Both parties should bring all documentary evidence to support case (i.e. paystubs, daycare receipts, health insurance costs, other child support orders, etc.)

DeKalb County Courthouse

556 North McDonough Street, Decatur, GA 30030
Parking deck \$6.00 per day (cash only); Limited metered street parking
MARTA: East 6 – Decatur Rail Station

Family Law Information Center (404) 687-3990

DeKalb County Courthouse – 1st Floor, Room 160
Monday-Friday, 8:30 a.m.-4:30 p.m.

www.DeKalbSuperiorCourt.com

Resources available:

- *Divorce Packet With Minor Children – \$20.00 (cash, certified check, or money order; free on-line)*
- *General Forms, including Answer and Counterclaim – \$1.00-\$3.00*
- *Attorney Consultation – \$20.00 administrative fee for a 30-minute session, appointment required*
- *Child Support Worksheet Preparation – Free Assistance - \$2.00 to print Worksheet & Schedules*
- *Free Notary Public Services for Family Law Information Center documents **only**.*
- *Attorney list – free copies of selections (up to 5; any additional \$.15 each)*
- *General Community Resource Information – free brochures*

Law Library (404) 371-2441

DeKalb County Courthouse – 4th Floor, Room 400
Monday-Friday, 8:30 a.m.- 4:30 p.m.

www.DeKalbSuperiorCourt.com

Resources available:

- *Free computer access – word processing, Internet, legal forms, Child Support Worksheet access*
- *15 cents per page prints and photocopies cost (cash only)*
- *Georgia law and Code books; Legal self-help books; Family Law books; Form books*
- *Attorney list - free*

Superior Court Clerk's Office (404) 371-2836

DeKalb County Courthouse – Ground Floor
Monday-Friday, 8:30 a.m.-5:00 p.m.

www.dksuperiorclerk.com

Fees: Subject to change (see Clerk's website for payment options).

- Filing cost \$210.00
- Service cost \$50.00
- Publication fee, if applicable \$100.00

General information: Always keep a copy of filed documents for your records.

Divorcing Parents Seminar (404) 371-4953

DeKalb County Courthouse – 4th Floor, Room 410
Monday-Friday, 8:00 a.m. - 4:30 p.m.

Online registration: www.DeKalbSuperiorCourt.com

General information: Attendance is required by both parents. After a case has been served, the parties have 31 days to schedule attendance at the class. Cost - \$30.00 (cash, money order or certified check only)

Dispute Resolution Center (404) 370-8194

Fax: (404) 370-8195

Email: drc@dekalbcountyga.gov

106 E. Ponce de Leon Ave, Decatur, GA 30030

www.DeKalbSuperiorCourt.com

2 hours of mediation free

General information: After an Order or Referral to the Dispute Resolution Center has been filed; the parties should submit a completed Domestic Relations Initiation Form (DRIF) to the DRC to schedule a session for Mediation, Arbitration or Case Evaluation. Forms are available from the DRC.