DIVISION 4 – The Honorable Gail C. Flake
DeKalb County Superior Court – Courtroom 6D; 6th 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
- Plaintiff must request temporary hearing (Rule Nisi) in writing (Rule Nisi form see Family Law Information Center *Resources available*)
  - Take the following to Calendar Clerk: proof of service of Complaint; Rule Nisi form; Certificate of Service
  - File Rule Nisi in Clerk's Office *(see General information)*
  - Serve Defendant with completed Rule Nisi form and Certificate of Service
  - 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*)

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 copy of Certificate of Attendance 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 either party must be taken to Calendar Clerk for a case to be referred to mediation (written request must include civil action number and service to other side)
  - *See General information*
- If agreement is reached move to Steps 8 and 9
- If agreement is not reached move to Steps 10 and 11

Step 8: Request for Final Hearing (if agreement is reached)
- Plaintiff to file the following documents in Clerk's Office:
  - Settlement Agreement
  - Combined Child Support Worksheet & Schedules
  - Parenting Plan
  - Child Support Addendum
- Plaintiff may request final hearing by telephone calling the Calendar Clerk

Step 9: Final Hearing (if agreement is reached)

- Checklist for Plaintiff to bring to hearing:
  - Copies of filed Settlement Agreement, Combined Child Support Worksheet & Schedules, Parenting Plan and Child Support Addendum
  - Copies of Certificates of Attendance at Divorcing Parents Seminar for both parents
  - Income Deduction Order (see Family Law Information Center *Resources available*)
  - Final Judgment and Decree of Divorce Incorporating Settlement Agreement (see Family Law Information Center *Resources available*)

Step 10: 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 11: 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;
- Checklist for Plaintiff to bring to hearing:
  - Domestic Relations Financial Affidavit
  - Child Support Worksheet & Schedules
  - Parenting Plan
  - Child Support Addendum
  - Copy of filed Certificate of Attendance at Divorcing Parents Seminar
  - Income Deduction Order (see Family Law Information Center *Resources available*)
  - Final Judgment and Decree of Divorce (see Family Law Information Center *Resources available*)
  - Publisher's Affidavit (if applicable)
- Checklist for Defendant to bring to hearing:
  - Domestic Relations Financial Affidavit
  - Child Support Worksheet & Schedules
  - Parenting Plan
  - Child Support Addendum
  - Copy of filed Certificate of Attendance at Divorcing Parents Seminar

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

Families in Transition 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)

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.

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.