

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

_____, VERSUS _____,	PETITIONER, RESPONDENT.	CIVIL ACTION FILE NUMBER _____
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RESPONDENT’S ANSWER TO PETITIONER’S COMPLAINT FOR DIVORCE (WITHOUT MINOR CHILDREN) AND COUNTERCLAIM FOR DIVORCE

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

1.

Respondent (CIRCLE ONE: ADMITS OR DENIES) the allegations contained in Paragraph 1 of Petitioner’s *Complaint for Divorce*.

2.

Respondent (CIRCLE ONE: ADMITS OR DENIES) the allegations contained in Paragraph 2 of Petitioner’s *Complaint for Divorce*.

3.

Respondent (CIRCLE ONE: ADMITS OR DENIES) the allegations contained in Paragraph 3 of Petitioner’s *Complaint for Divorce*.

4.

Respondent (CIRCLE ONE: ADMITS OR DENIES) the allegations contained in Paragraph 4 of Petitioner’s *Complaint for Divorce*.

5.

Respondent (CIRCLE ONE: ADMITS OR DENIES) the allegations contained in Paragraph 5 of Petitioner’s *Complaint for Divorce*.

6.

Respondent (CIRCLE ONE: ADMITS OR DENIES) the allegations contained in Paragraph 6 of Petitioner’s *Complaint for Divorce*.

7.

Respondent (CIRCLE ONE: ADMITS OR DENIES) the allegations contained in Paragraph 7 of Petitioner's *Complaint for Divorce*.

8.

Respondent (CIRCLE ONE: ADMITS OR DENIES) the allegations contained in Paragraph 8 of Petitioner's *Complaint for Divorce*.

9.

Respondent (CIRCLE ONE: ADMITS OR DENIES) the allegations contained in Paragraph 9 of Petitioner's *Complaint for Divorce*.

10.

Respondent (CIRCLE ONE: ADMITS OR DENIES) the allegations contained in Paragraph 10 of Petitioner's *Complaint for Divorce*.

11.

Respondent (CIRCLE ONE: ADMITS OR DENIES) the allegations contained in Paragraph 11 of Petitioner's *Complaint for Divorce*.

12.

Respondent (CIRCLE ONE: ADMITS OR DENIES) the allegations contained in Paragraph 12 of Petitioner's *Complaint for Divorce*.

13.

Respondent (CIRCLE ONE: ADMITS OR DENIES) the allegations contained in Paragraph 13 of Petitioner's *Complaint for Divorce*.

14.

Respondent (CIRCLE ONE: ADMITS OR DENIES) the allegations contained in Paragraph 14 of Petitioner's *Complaint for Divorce*.

15.

Respondent (CIRCLE ONE: ADMITS OR DENIES) the allegations contained in Paragraph 15 of Petitioner's *Complaint for Divorce*.

(Attach additional pages if necessary)

COUNTERCLAIM FOR DIVORCE

1. **Subject Matter Jurisdiction and Venue:** This Court has jurisdiction over the subject matter and parties in this action, and venue is proper in this Court.

2. **Date of Marriage:**

[Check and complete only one (1) box.]

- (a) The Petitioner and I were lawfully married on _____.
- (b) The Petitioner and I are married by common law because we lived together and held ourselves out as Spouse 1 and Spouse 2 as of _____ which was a date prior to January 1, 1997.

3. **Date of Separation:** The Petitioner and I last separated on _____, and we have remained in a true state of separation since that date.

4. **Settlement Agreement:**

[Check only if there is a signed agreement.]

- The Petitioner and I have entered into a *Settlement Agreement*, which we both want to incorporate into the *Final Judgment and Decree of 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.

5. **Minor Children:**

[If there are minor children, you need to use a different form. See instructions.]

- The Petitioner and I do not have any minor children together.

6. **Alimony:**

[Check only one (1) box.]

- (a) I am financially dependent on the Petitioner and need the Court to order the Petitioner to pay alimony for my support.
- (b) I am not asking for alimony.

7. **Marital Property:**

[Check only one (1) box.]

- (a) The Petitioner and I have already divided our marital property, and we are both satisfied with the division.
- (b) The Petitioner and I do not have any property acquired during our marriage.
- (c) The Petitioner and I have acquired the following property during our marriage, and I am asking for a fair division of this property:

[Check and complete all that apply.]

House located at

_____.

Other real estate, located at

_____.

Mobile home (model: _____, year: _____).

Pension (mine, worth \$ _____; Petitioner's, worth _____).

Motor vehicles listed here:

○ Model/year:

○ Model/year:

○ Model/year:

Furniture:

○ Listed here:

○ Listed on a separate paper attached.

Bank account and/or other investments:

○ Listed here:

○ Listed on a separate paper attached.

Other property:

○ Listed here:

- Listed on a separate paper attached.

8. Joint or Marital Debts:

[Check and complete only one (1) box.]

- (a) The Petitioner and I do not have any outstanding joint or marital debts.
- (b) The Petitioner 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

9. Restraining Order Where Violence Has Occurred:

[Read instructions carefully, and check only if applicable.]

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

10. Restore Former Name:

[Check only if applicable.]

- My former name is _____, and I am asking the Court to restore that name to me.

11. Grounds for Divorce: My grounds for divorce from the Petitioner are:

[Check the ones that you can prove at trial.]

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

- (b) **Cruel Treatment.** The Petitioner committed the following acts of cruel treatment toward me:

- (c) **Adultery.** The Petitioner has had sexual intercourse with someone else during our marriage.
- (d) **Desertion.** The Petitioner has intentionally and continually deserted me for at least a year.
- (3) **Other grounds** from the 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 I be granted a total divorce from the Petitioner;
- (b) That the *Settlement Agreement* signed by the parties be incorporated into the *Final Judgment and Decree of Divorce*;
- (c) That the Petitioner be ordered to pay me alimony for my support;
- (d) That our marital property be divided according to Paragraph 7;
- (e) That our joint and marital debts be divided according to Paragraph 8;
- (g) That the Petitioner be temporarily and permanently restrained from harassing me or committing any acts of violence toward me;
- (h) That my former name be restored according to Paragraph 10;
- (i) That a *Rule Nisi* be scheduled by the Court to decide on the relief I have requested;
- (j) That the Court issue a *Standing Order*;
- (k) That the Court order any and all other relief that the Court finds appropriate.

Signed this _____ day of _____.
[day] [month] [year]

(Sign your name here before Notary) Respondent, *Pro se*

Respondent's Name (print or type): _____

Respondent's Address: _____

Respondent's Telephone Number: _____

Sworn to and affirmed before me, this
_____ day of _____.

NOTARY PUBLIC

My commission expires: _____
(Notary Seal)

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

_____	PETITIONER,	
VERSUS		CIVIL ACTION FILE NUMBER
_____	RESPONDENT.	_____

CERTIFICATE OF SERVICE

This document certifies that on _____, 20____, I sent copies of the following documents:

Respondent's Answer to Petitioner's Complaint for Divorce (Without Minor Children) and Counterclaim for Divorce and Verification

to the opposing party by (choose one):

- first class mail
- certified mail and return receipt was requested

The documents were addressed as follows:

(Sign your name here before Notary) Respondent, *Pro se*

Respondent's Name (print or type): _____

Respondent's Address: _____

Respondent's Telephone Number: _____

Sworn to and affirmed before me, this _____ day of _____.

NOTARY PUBLIC

My commission expires: _____

(Notary Seal)