

IN THE SUPERIOR COURT OF COBB COUNTY  
STATE OF GEORGIA

<p>_____, PLAINTIFF,  VERSUS  _____, DEFENDANT.</p>	<p style="text-align: center;">CIVIL ACTION FILE NUMBER</p> <p style="text-align: center;">_____</p>
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**DEFENDANT’S ANSWER TO PLAINTIFF’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.

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

2.

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

3.

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

4.

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

5.

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

6.

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

7.

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

8.

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

9.

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

10.

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

11.

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

12.

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

13.

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

14.

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

15.

Defendant (CIRCLE ONE: ADMITS OR DENIES) the allegations contained in Paragraph 15 of Plaintiff'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 Plaintiff and I were lawfully married on \_\_\_\_\_.
- (b) The Plaintiff and I are married by common law because we lived together and held ourselves out as husband and wife as of \_\_\_\_\_ which was a date prior to January 1, 1997.

3. **Date of Separation:** The Plaintiff 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 Plaintiff 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 Plaintiff and I do not have any minor children together.

6. **Alimony:**

*[Check only one (1) box.]*

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

7. **Marital Property:**

*[Check only one (1) box.]*

- (a) The Plaintiff and I have already divided our marital property, and we are both satisfied with the division.
- (b) The Plaintiff and I do not have any property acquired during our marriage.
- (c) The Plaintiff 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 \$ \_\_\_\_\_; Plaintiff's, worth \$ \_\_\_\_\_).
- Motor vehicles listed here:
  - o Model/year: \_\_\_\_\_
  - o Model/year: \_\_\_\_\_
  - o Model/year: \_\_\_\_\_
- Furniture:
  - o Listed here: \_\_\_\_\_  
\_\_\_\_\_
  - o Listed on a separate paper attached.
- Bank account and/or other investments:
  - o Listed here: \_\_\_\_\_  
\_\_\_\_\_
  - o Listed on a separate paper attached.
- Other property:
  - o Listed here: \_\_\_\_\_  
\_\_\_\_\_
  - o Listed on a separate paper attached.

**8. Joint or Martial Debts:**

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

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

- (b) The Plaintiff 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 Plaintiff toward me, and I am afraid that the Plaintiff 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 Plaintiff are:

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

- (a) **Our marriage is irretrievably broken.** The Plaintiff and I can no longer live together and there is no hope that we will get back together.
- (b) **Cruel Treatment.** The Plaintiff committed the following acts of cruel treatment toward me:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- (c) **Adultery.** The Plaintiff has had sexual intercourse with someone else during our marriage.
- (d) **Desertion.** The Plaintiff 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:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_





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STATE OF GEORGIA

_____ ,	PLAINTIFF,	
VERSUS		CIVIL ACTION FILE NUMBER
_____ ,	DEFENDANT.	_____

**CERTIFICATE OF SERVICE**

This document certifies that on \_\_\_\_\_, 20\_\_\_\_, I sent copies of the following documents:

*Defendant's Answer to Plaintiff'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) Defendant, *Pro se*

Defendant's Name (print or type): \_\_\_\_\_

Defendant's Address: \_\_\_\_\_  
\_\_\_\_\_

Defendant's Telephone Number: \_\_\_\_\_

Sworn to and affirmed before me, this  
\_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
**NOTARY PUBLIC**

My commission expires: \_\_\_\_\_

(Notary Seal)