

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

Petitioner: _____

and

Respondent: _____

Civil Action File No.: _____

ORDER

The above *Petition* having come before this Court, it is considered, ordered, and adjudged that:

1. Legitimacy

The children named in the *Petition*, to wit:

Child's Name	Date of Birth

be declared the legitimate child(ren) of the Petitioner, _____, and capable of inheriting from him.

The Department of Vital Statistics is hereby ordered and directed to amend and reissue the birth certificate of each child listed above to indicate the Petitioner, _____, is the father of said child(ren).

The Department of Vital Statistics is hereby ordered and directed to remove the name of _____ from the birth certificate of each child, and replace it with the name of the Petitioner, _____.

The surname of each child is hereby changed to _____. The Department of Vital Statistics is hereby ordered and directed to amend and reissue the birth certificate of each child listed above to reflect the change of the children's names to: _____.

The *Agreement* entered into by the parties and filed with this Court on _____, 20____ is hereby attached and adopted by the Court. Each party is ORDERED to abide by the terms of the *Agreement*.

2. Custody and Visitation

Respondent having consented to the consideration of the issue of visitation in this action, visitation with the child(ren) is hereby granted to the Petitioner/Respondent as follows: _____

Respondent having consented to the consideration of the issue of custody in this action, custody of the child(ren) is hereby ordered as follows: _____

The mother, _____, of the minor child(ren) is deceased. The Petitioner is hereby awarded legal and physical custody of the minor child(ren).

3. Child Support

Application of Child Support Guidelines – The statutory requirements of O.C.G.A. § 19-6-15 have been applied in reaching the amount of child support provided under the *Order* in this action. The specifics are as follows:

- (1) Gross Income – The Father’s gross monthly income (before taxes) is \$ _____; the Mother’s gross monthly income (before taxes) is \$ _____.
- (2) Children – The number of children for whom support is being provided under this order is _____. Their names and dates of birth are as follows:

Child’s Name	Date of Birth

- (3) Attachments – The *Child Support Worksheet* and *Schedules* are attached hereto, along with any other applicable schedules.

(4) Child Support Amount – The _____ shall pay to the _____, for the support of the minor child(ren) in the sum of _____ dollars (\$ _____) per month, beginning on _____, 20_____, and continued with a payment of _____ dollars (\$ _____) on the first (1st) day of each and every month thereafter until the minor child(ren) reach the age of majority, become self-supporting, marry, die, no longer reside with the _____, or are otherwise emancipated, whichever of these events shall first occur. PROVIDED HOWEVER, that if at the time the parties' children attain eighteen (18) years of age, s/he has not graduated from high school and is then enrolled full time in high school and progressing toward graduation in the normal course, then such child support shall continue until such time as said child(ren) graduate from high school, are no longer enrolled full time and progressing normally, or attain the age of twenty (20) years, whichever first occurs.

(5) Deviation from Presumptive Amount

[Check and complete only one (1) of the following choices.]

- (a) No Deviation – It has been determined that none of the deviations allowed under O.C.G.A. § 19-6-15 applies in this case, as shown by the attached *Schedule E*. The amount of support in Paragraph 3 above is the Presumptive Amount of child support shown on the attached *Child Support Worksheet*.
- (b) Deviation – It has been determined that one or more of the Deviations allowed under O.C.G.A. § 19-6-15 applies in this case, as shown by the attached *Schedule E*. The Presumptive Amount of Child Support that would have been required under O.C.G.A. § 19-6-15, if the deviations had not be applied, is \$ _____ per month, as shown on the attached *Child Support Worksheet*. The attached *Schedule E* explains the reasons for the deviation, how the application of the guidelines would be unjust or inappropriate considering the relative ability of each parent to provide support, and how the best interest of the children who are subject to this child support determination is served by deviation from the Presumptive Amount of Child Support.

(6) Health, Dental, & Vision Insurance for Children

[Check and complete only one (1) of the following choices.]

- (a) Insurance Available – The following insurance for the children involved in this action is available at a reasonable cost to the _____ through that parent's employer or the PeachCare Program:
- Health (medical, mental health, and hospitalization) Dental Vision
- So long as it remains available to that parent, the _____ shall maintain the types of insurance checked above for the benefit of the minor children, until each child reaches the age of eighteen (18), dies, marries, or otherwise becomes emancipated; except that if a child becomes eighteen years old while enrolled in and attending secondary school on a full-time basis, then the insurance shall be continued for the child until the child has graduated from secondary school or reaches twenty (20) years of age, whichever occurs first.

- (1) The parent who maintains the insurance shall provide the other parent with an insurance identification card or such other acceptable proof of insurance coverage and shall cooperate with the other parent in submitting claims under the policy.
- (2) All money received by one of the parties for claims processed under the insurance policy shall be paid within five (5) days after the party receives the money, to the other party (if that other party paid the applicable health care service provider) or to the applicable health care provider (if the provider has not been paid by one of the parties).
- (b) Insurance Not Available – Insurance (other than Medicaid) is not available at this time to either party at a reasonable cost. If health insurance for the children later becomes available to the parent who is required to pay child support for these children, then that parent must obtain the following types of insurance, unless it is then being provided by the other parent:
 Health (medical, mental health, and hospitalization) Dental Vision.
When insurance has been obtained by either party, Paragraphs 4(b)(6)(a)(1) and (2) shall apply.
- (c) Insurance Not Available – This issue is not addressed in this *Final Judgment*, either because the Court lacks personal jurisdiction over the Defendant, or because neither party has asked the Court to address the issue of children’s health care expenses in this action.
When insurance has been obtained by either party, Paragraphs 4(b)(6)(a)(1) and (2) shall apply.
- (7) Uninsured Health Care Expenses – The Father shall pay _____% and the Mother shall pay _____% of all expenses incurred for the children’s health care (including medical, dental, mental health, hospital, and vision care) that are not covered by insurance. The party who incurs a health care expense for one of the children shall provide verification of the amount to the other party. That other party shall reimburse the incurring party (or pay the health care provider directly) for the appropriate percentage of the expense, within thirty (30) days after receiving the verification of a particular health care expense.
- (8) Parenting Time Amounts – The approximate number of days of parenting time per year according to the *Visitation Order* is _____ days for the Father and _____ for the Mother.
- (9) Continuing Garnishment for Child Support – Whenever, in violation of the terms of the order, there shall have been a failure to make payments, so that the amount unpaid is equal to or greater than the amount payable for one month, the payments required to be made may also be collected by the process of continuing garnishment for support.
- (10) Income Deduction Order

[Check and complete only one (1) of the following choices.]

 (a) An *Income Deduction Order* shall be entered by the Court, under O.C.G.A. § 19-6-32, for payment of child support and alimony (if any) provided. The *Income Deduction Order* shall take effect:
 (1) immediately upon entry by the Court.
 (2) upon accrual of a delinquency equal to one month’s support. The *Income Deduction Order* may be enforced by serving a *Notice of Delinquency*, as provided in O.C.G.A. § 19-6-32(f).

- (b) The parties agree that an *Income Deduction Order* is not immediately necessary.
- (c) The Court finds that there is good cause to not require income deduction, having determined that income deduction will not serve the children's best interests and that there has been sufficient proof of timely payment of any previously ordered support.

This Order entered on _____ day of _____, 20_____.

Judge, Superior Court
Cobb Judicial Circuit