

IN THE SUPERIOR COURT OF CLAYTON COUNTY
STATE OF GEORGIA

_____,
Petitioner, Civil Action
vs. Case Number _____
_____,
Respondent.

ORDER OF LEGITIMATION

The above Petition having come before the Court, and in consideration thereof and of the entire record in this matter, it is accordingly ADJUDGED and ORDERED as follows, checking and completing *only* those paragraphs that apply:

1. That the child(ren) named in the Petition, to wit:
- | <u>Name</u> | <u>Male/Female</u> | <u>Birth Date</u> |
|-------------|--------------------|-------------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

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

2. That the Department of Vital Statistics forthwith amend and reissue the birth certificate of each child listed above to indicate that _____, the Petitioner herein, is the father of said child.
3. That the Department of Vital Statistics forthwith remove from the birth certificate of each child listed above _____ as the father of said child(ren) and replace it with the name of the Petitioner, _____.
4. That the surname of each child named in the Petition hereby be changed to _____. The Department of Vital Statistics is hereby directed to amend and reissue the birth certificate of each child listed above to reflect the change of

the child(ren)'s name(s) to _____
_____.

5. That the Agreement entered into by the parties and filed with the Court on _____
_____ is hereby attached and adopted by the Court. Each party
is ORDERED to abide by the terms of that Agreement.

6. **Custody of the Minor Child(ren):**

(a) The _____ (Petitioner or Respondent) shall have sole
permanent custody of the child(ren).

(b) The _____ (Petitioner or Respondent) shall have primary
physical custody of the children, and both parties shall have joint legal custody of
them. The parties shall consult each other and try to reach a joint decision on all
major issues concerning the child(ren)'s education, health care and religious
upbringing. However, if the parties are not able to reach a joint decision
concerning one of these major issues, the _____ (Petitioner
or Respondent) shall make the final decision on the issue.

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

7. **Visitation of the Minor Child(ren):**

(a) The _____ (Petitioner or Respondent) shall have the right of
reasonable visitation with the minor children, at any time by mutual consent of the
parties, provided that the beginning and ending times of the visitation have been
put into writing and signed by both parties before the start of the visitation. In
arranging visitation, the parties shall take into consideration the requirements of
the children's school work, their activities, and child care arrangements. Unless
otherwise agreed by the parties in writing, the drop-off and pick-up for visitation
shall be at _____
_____. The
_____ shall notify the _____ at
least 24 hours in advance of any scheduled visitation if he/she does not intend to
exercise that visitation opportunity. The _____ shall arrive to pick
up the children for visitation within _____ minutes of the scheduled time, or
shall lose that visitation opportunity.

(b) The _____ (Petitioner or Respondent) shall have the

right of reasonable visitation with the minor children, at any time by mutual consent of the parties. If the parties cannot agree on specific visitation, the shall have the right to visitation according to the schedule attached to this *Final Judgment and Decree* as “Exhibit A.”

- (c) Special visitation provisions: _____

_____.

8. **Child Support:**

- (a) This issue is not addressed in this *Final Judgment*, either because the Court lacks personal jurisdiction over the Defendant, or because the parties have not asked the Court to decide the issue of child support.
- (b) The _____ (Petitioner or Respondent) shall pay to the _____ (Petitioner or Respondent), for the support of the minor child(ren), the sum of _____ Dollars (\$ _____) per month, beginning on _____, 20____. The child support shall continue monthly thereafter until each child herein reaches the age of eighteen, 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 child support shall continue for the child until the child has graduated from secondary school or reaches twenty years of age, whichever occurs first. A Child Support Addendum is attached to this Final Decree and incorporated herein by reference.

Continuing Garnishment - Whenever, in violation of the terms of this *Judgment*, there shall have been a failure to make the support 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.

9. **Income Deduction Order:**

- (a) No Income Deduction Order shall be entered, because the Court does not have personal jurisdiction over the Respondent.

- (b) An Income Deduction Order shall be entered by the Court, under OCGA § 19-6-32, for payment of the child support and alimony (if any) provided in this Order. The Income Deduction Order shall take effect **either**:
 - (1) immediately; **or**
 - (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 OCGA § 19-6-32 (f).
- (c) The Court finds that there is good cause not to enter an immediate Income Deduction Order because, as provided in OCGA § 19-6-32(a.1)(1)(A), it would not be in the best interests of the parties' children and any previously ordered child support has been paid in a timely manner, or because the parties have agreed in writing that an Income Deduction Order is not immediately necessary.

10. **Health Insurance for Minor Child(ren):**

- (a) This issue is not addressed herein, either because the Court lacks personal jurisdiction over the Respondent, or because neither party has asked the Court to address the issue of health insurance in this action.
- (b) The _____ (Petitioner or Respondent) shall maintain a policy of medical, dental and hospitalization insurance for the benefit of the minor child(ren), until each child reaches the age of eighteen, 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 continue until that child has graduated from secondary school or reaches twenty years of age, whichever occurs first. The _____ (Petitioner or Respondent) shall provide the _____ (Petitioner or Respondent) with an insurance identification card or such other acceptable proof of insurance coverage and shall cooperate with the _____ (Petitioner or Respondent) in submitting claims under the policy. All money received by the _____ (Petitioner or Respondent) for claims processed under the insurance policy shall be paid to the _____ (Petitioner or Respondent) or to the applicable health care service provider within five (5) days of receipt of the money.
- (c) **Only** if not already reflected in the calculation of child support as evidenced by the attached Child Support Addendum and worksheets, _____ (Petitioner or Respondent) shall provide verification of the amount paid for the children's share of the cost of medical, dental and hospitalization insurance. The _____ (Petitioner or Respondent) shall reimburse the _____

(Petitioner or Respondent) for _____% of the cost within fifteen (15) days after receiving the verification.

11. **Medical Expenses for Minor Child(ren):**

- (a) This issue is not addressed herein, either because the Court lacks personal jurisdiction over the Respondent, or because neither party has asked the Court to address the issue of the child(ren)'s health care expenses in this action.
- (b) The _____ (Petitioner or Respondent) shall be responsible for all expenses incurred for the children's health care (including medical, dental, mental health and hospital care) that are not covered by insurance. The _____ (Petitioner or Respondent) shall provide verification to the _____ (Petitioner or Respondent) of amounts paid or incurred for the children's health care. The _____ (Petitioner or Respondent) shall reimburse the _____ (Petitioner or Respondent) or pay the health care provider directly within fifteen (15) days after receiving the verification of a particular health care expense.
- (c) The _____ (Petitioner or Respondent) shall pay _____% and the _____ (Petitioner or Respondent) shall pay _____% of all expenses incurred for the children's health care (including medical, dental, mental health and hospital 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 fifteen (15) days after receiving the verification of a particular health care expense.

12. **Life Insurance to Support Minor Child(ren):**

- (a) This issue is not addressed herein, either because the Court lacks personal jurisdiction over the Respondent, or because neither party has asked the Court to address the issue of life insurance for the benefit of the child(ren) in this action.
- (b) The child(ren) depend(s) on the _____ (Petitioner or Respondent) for financial support, and therefore the _____ (Petitioner or Respondent) shall maintain a policy of insurance on his/her life, with a face amount of at least \$_____, for the benefit of the minor child(ren). The policy shall be maintained for so long as at least one of the children is a minor or is otherwise entitled to support under this Order.

- (c) The children depend on both parties for financial support, and therefore each party shall maintain a policy of insurance on his/her life, with a face amount of at least _____
\$ _____ for the benefit of the minor children. Both policies shall be maintained for so long as at least one of the children is a minor or is otherwise entitled to support under this Order.

SO ORDERED this the ____ day of _____, 200__.

JUDGE
Superior Court of Clayton County

“Exhibit A”
Visitation Schedule

If the parties cannot agree on specific visitation, the _____ shall have the right to visitation according to the schedule below. Holiday and summer vacation provisions shall prevail over weekend visitation when they conflict.

(a) **Weekends** — The first and third weekends of every month, from Friday at 6:00 p.m. until Sunday at 6:00 p.m. The first and third weekends shall be defined as the weekends containing the first and third Fridays of the month.

(b) **Father’s Day or Mother’s Day** —

[Check only one of these, either (1) or (2). Do not check both (1) and (2).]

(1) On Father’s Day, from 9:00 a.m. to 6:00 p.m. If Mother’s Day occurs on a weekend when the father would otherwise have visitation, the children shall be returned to the mother at 12:00 noon on Mother’s Day, rather than at 6:00 p.m.

(2) On Mother’s Day, from 9:00 a.m. to 6:00 p.m. If Father’s Day occurs on a weekend when the mother would otherwise have visitation, the children shall be returned to the father at 12:00 noon on Father’s Day, rather than at 6:00 p.m.

(c) **Holidays** —

In even-numbered years (such as 2002, 2004, etc.), the children shall spend these holidays with the _____, and in odd-numbered years (such as 2001, 2003, etc.), they shall spend them with the _____.

- (1) Easter weekend, from 6:00 p.m. Friday to 6:00 p.m. Sunday;
- (2) Memorial Day and Labor Day weekends, from 6:00 p.m. Friday to 6:00 p.m. Monday; and
- (3) During Christmas vacation, from 6:00 p.m. on the day school lets out for vacation, until 12:00 noon on December 25th. However, if none of the

children is enrolled in school, this Christmas visitation shall be from 6:00 p.m. on December 20th until 12:00 noon on December 25th.

In odd-numbered years, the children shall spend these holidays with the _____, and in even-numbered years, they shall spend them with the _____.

- (4) Spring vacation, from 6:00 p.m. on the day school lets out for vacation, until 6:00 p.m. on the day before the children return to school. However, if none of the children is enrolled in school, this Spring vacation shall be for up to one week (seven consecutive days) during the months of March or April; provided that the _____ shall give written notice of the chosen week to the other parent at least 30 days prior to the beginning of this visitation.
- (5) Independence Day, from 10:00 a.m. to 10:00 p.m.;
- (6) Thanksgiving weekend, from 6:00 p.m. Wednesday until 6:00 p.m. Sunday; and
- (7) During Christmas vacation, from 12:00 noon on December 25th to 6:00 p.m. on the day before the children return to school. However, if none of the children is enrolled in school, this Christmas visitation shall be from 12:00 noon on December 25th until 6:00 p.m. on January 1st.

(d) **Summer Vacation** — _____ weeks during the children’s summer vacation from school. However, if none of the children is enrolled in school, this summer visitation shall be taken during the months of June, July and August. The weeks may be taken consecutively or non-consecutively, but shall be taken in increments of at least seven (7) consecutive days. The _____ shall give written notice of the chosen weeks to the other parent on or before March 1st (so that both parties will have ample time to make camp and child care arrangements for the summer).

(e) **Other** — _____
