

IN THE SUPERIOR COURT OF CLAYTON COUNTY

STATE OF GEORGIA

\_\_\_\_\_,  
Plaintiff,  
vs. \_\_\_\_\_,  
Defendant.

Civil Action  
Case Number \_\_\_\_\_

**TEMPORARY ORDER**

This action came before the Court for hearing on \_\_\_\_\_, 20\_\_\_\_\_.  
The Court has read and considered the pleadings, and  the parties have consented to the entry of this order [or]  the Court heard the evidence and considered the matter.

THE COURT HEREBY ORDERS THE FOLLOWING:

1. **CUSTODY**

*[Check and complete only one of these, either (a) or (b). Do not check both (a) and (b).]*

(a) The (Plaintiff or Defendant) \_\_\_\_\_ shall have sole temporary custody of the children, until further order of the Court.

(b) The (Plaintiff or Defendant) \_\_\_\_\_ shall have temporary physical custody of the children, and the parties shall have temporary joint legal custody of them. The parties shall consult each other and try to reach a joint decision on all major issues concerning the children'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 (Plaintiff or Defendant) \_\_\_\_\_ shall make the final decision on the issue.

2. **VISITATION**

*[Check and complete only one of these, either (a), (b) or (c). Do not check more than one.]*

(a) The \_\_\_\_\_ 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. Unless otherwise agreed by the parties in writing, the drop-off and pick-up for visitation shall be at \_\_\_\_\_. The visiting parent shall notify the other parent at least 24 hours in advance of any scheduled visitation if he/she does not

intend to exercise that visitation opportunity. The parent shall arrive to pick up the children for visitation within \_\_\_\_\_ minutes of the scheduled time, or shall lose that visitation opportunity.

If the parties cannot agree on specific visitation, the visiting parent shall have the right to visitation according to the schedule attached to this *Temporary Order* as "Exhibit A."

(b) The \_\_\_\_\_ shall have visitation with the minor children as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(c) No visitation is ordered at this time.

3. **CHILD SUPPORT, CHILDREN'S HEALTH INSURANCE & EXPENSES**

*[Check and complete only one of these, either (a) or (b). Do not check both (a) and (b).]*

(a) Child support, health insurance for the children, and uncovered health care expenses for the children are addressed in the *Child Support Addendum*, *Child Support Worksheet*, and appropriate schedules. They have been attached to, and are made a part of, this temporary order.

(b) No child support is ordered at this time.

4. **TEMPORARY ALIMONY**

*[Check and complete only one of these, either (a) or (b). Do not check both.]*

(a) No temporary alimony is awarded at this time.

(b) The \_\_\_\_\_ shall pay to the \_\_\_\_\_ as temporary alimony, the sum of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_) per month, beginning on \_\_\_\_\_, and continuing monthly thereafter,

*[To finish (b), you must check and complete either (1) or (2). Do not check both (1) and (2)]*

(1) until further order of the Court.

(2) for a period of \_\_\_\_\_.

5. **TEMPORARY POSSESSION OF PROPERTY**

*[Check and complete either (a) or (b). Do not check more than one.]*

(a) This issue is not addressed in this *Temporary Order*.

(b) The parties possess various items of marital property. The Court will address the equitable division of the property in the final decree. The Court reminds the parties that the standing *Order* is in effect, and that either party may be punished for contempt for violating that order. Until further order of the Court, the parties listed below shall have temporary exclusive possession of the following items of property:

*[If you have chosen (b), check and complete only the parts that apply, from (1) through (3) below.]*

(1) **Marital Home** - The \_\_\_\_\_ shall have temporary, exclusive use of the marital home of the parties, located at the following address: \_\_\_\_\_

The \_\_\_\_\_ shall be responsible for all taxes, assessments and mortgage loan payments on the home after the date of \_\_\_\_\_.

(2) **Vehicles** - The parties listed below shall have temporary, exclusive use of the following vehicles:

<u>Year/Make/Model of Vehicle</u>	<u>Vehicle ID # (VIN)</u>	<u>Goes to</u>
_____	_____	_____
_____	_____	_____

The party listed above for each vehicle shall be responsible for all car loan payments, *ad valorem* taxes, registration fees and insurance on that vehicle accruing after the following date: \_\_\_\_\_.

(3) **Other Personal Property** - Temporary, exclusive possession of the following items shall be transferred to the party listed below, on or before \_\_\_\_\_, 20\_\_\_\_.

To the Wife

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

To the Husband

\_\_\_\_\_  
\_\_\_\_\_

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6. **RESTRAINING ORDER**

*(Check and complete (a) or (b) below. Do not check both.)*

(a) This issue is not addressed in this *Temporary Order*.

(b) The (Plaintiff or Defendant) \_\_\_\_\_ is hereby restrained from assaulting, beating, wounding, threatening, harassing and stalking the \_\_\_\_\_, until further order of the Court. Consent to this provision shall not be construed as an admission that any of these actions have been done in the past. This provision shall be enforceable by the Court's contempt power.

7.  **SEMINAR FOR DIVORCING PARENTS**

The parties shall both complete the Seminar for Divorcing Parents, as required by the standing order of this Court, within the next 30 days.

8.  **OTHER SPECIAL PROVISION**

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This order entered on \_\_\_\_\_, 20\_\_\_\_. It shall remain in effect until further order of the Court.

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JUDGE  
Clayton County Superior Court

## "Exhibit A" - Visitation Schedule

If the parties cannot agree on specific visitation, the \_\_\_\_\_ shall have the right to visitation according to the schedule below. To resolve any conflicts in the visitation provided under this schedule, the holiday visitation provided under paragraph (b) shall have priority over the weekend and summer visitation in paragraphs (a) and (c).

- (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.

*[NOTE: When filling out the Holiday section, please check only one preference and be careful not to check the same years for both parents.  
For example, if you check Even-number years for Father to have Spring vacation, then you should not also check Even-number years for Mother to have Spring vacation.]*

- (b) **Holidays** — The children shall spend holidays with each parent on the following schedule:

Holiday	With Father	With Mother
<p><b>Spring vacation</b>, 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.</p> <p>If none of the children is enrolled in school, this vacation shall be for up to one week (seven consecutive days) during the months of March or April; provided that the visiting parent shall give written notice of the chosen week to the other parent at least 30 days prior to the beginning of this visitation.</p>	<input type="checkbox"/> Even-number years <input type="checkbox"/> Odd-number years	<input type="checkbox"/> Odd-number years <input type="checkbox"/> Even-number years
<p><b>Easter weekend</b>, 6:00 p.m. Friday to 6:00 Sunday, provided that it does not conflict with Spring vacation above.</p>	<input type="checkbox"/> Even-number years <input type="checkbox"/> Odd-number years	<input type="checkbox"/> Odd-number years <input type="checkbox"/> Even-number years
<p><b>Easter weekend</b>, 6:00 p.m. Friday to 6:00 Sunday, provided that it does not conflict with Spring vacation above.</p>	<input type="checkbox"/> Even-number years <input type="checkbox"/> Odd-number years	<input type="checkbox"/> Odd-number years <input type="checkbox"/> Even-number years
<p><b>Mother's Day</b>, from 9:00 a.m. to 6:00 p.m.</p>	Not applicable	Every year

Wife / Mother \_\_\_\_\_

Husband / Father \_\_\_\_\_

Holiday	With Father	With Mother
<b>Memorial Day weekend</b> , 6:00 p.m. Friday to 6:00 p.m. Monday	<input type="checkbox"/> Even-number years <input type="checkbox"/> Odd-number years	<input type="checkbox"/> Odd-number years <input type="checkbox"/> Even-number years
<b>Father's Day</b> , from 9:00 a.m. to 6:00 p.m.	Every year	Not applicable
<b>Fourth of July</b> , from 10:00 a.m. to 10:00 p.m.	<input type="checkbox"/> Even-number years <input type="checkbox"/> Odd-number years	<input type="checkbox"/> Odd-number years <input type="checkbox"/> Even-number years
<b>Labor Day weekend</b> , 6:00 p.m. Friday to 6:00 p.m. Monday	<input type="checkbox"/> Even-number years <input type="checkbox"/> Odd-number years	<input type="checkbox"/> Odd-number years <input type="checkbox"/> Even-number years
<b>Thanksgiving weekend</b> , 6:00 p.m. Wednesday to 6:00 p.m. Sunday	<input type="checkbox"/> Even-number years <input type="checkbox"/> Odd-number years	<input type="checkbox"/> Odd-number years <input type="checkbox"/> Even-number years
<b>First part of Christmas vacation</b> , from 6:00 on the day school lets out for vacation, until 12:00 noon on December 25 <sup>th</sup> .  If none of the children is enrolled in school, this visitation shall be from 6:00 p.m. on December 20 <sup>th</sup> until 12:00 noon on December 25 <sup>th</sup> .	<input type="checkbox"/> Even-number years <input type="checkbox"/> Odd-number years	<input type="checkbox"/> Odd-number years <input type="checkbox"/> Even-number years
<b>Latter part of Christmas vacation</b> , from 12:00 noon on December 25 <sup>th</sup> to 6:00 p.m. on the day before the children return to school.  If none of the children is enrolled in school, this visitation shall be from 12:00 noon on December 25 <sup>th</sup> until 6:00 p.m. on January 1 <sup>st</sup> .	<input type="checkbox"/> Even-number years <input type="checkbox"/> Odd-number years	<input type="checkbox"/> Odd-number years <input type="checkbox"/> Even-number years

(c) **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, until such time as one of the children begins to attend school. The weeks may be taken consecutively or non-consecutively, but shall be taken in increments of at least seven (7) consecutive days. The parent with visitation shall give written notice of the chosen weeks to the other parent on or before March 1<sup>st</sup> (so that both parties will have ample time to make camp and child care arrangements for the summer).

Wife / Mother \_\_\_\_\_

Husband / Father \_\_\_\_\_