

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>Sex</u>	<u>Year of Birth</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) from:

_____ to _____
_____ to _____
_____ to _____
_____ to _____
_____ 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 _____, 20__.

JUDGE
Superior Court of Clayton County

