

SUPERIOR COURT OF GWINNETT COUNTY
STATE OF GEORGIA

<div style="border-bottom: 1px solid black; margin-bottom: 10px; min-height: 20px;"></div> <div style="text-align: center;">Plaintiff/Petitioner,</div> <div style="margin-top: 40px; text-align: center;">vs.</div> <div style="border-bottom: 1px solid black; margin-top: 10px; min-height: 20px;"></div> <div style="text-align: center;">Defendant/Respondent.</div>	<div>Civil Action</div> <div>Case Number <div style="border-bottom: 1px solid black; width: 150px; display: inline-block;"></div></div>
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**PETITION FOR CITATION FOR CONTEMPT
AND MODIFICATION OF CHILD SUPPORT**

My name is _____, and I am representing myself in this action. In support of my case, I state the following:

1. Jurisdiction and Venue:

[Check only one of the following, either (a), (b) or (c)]

☐ (a) Defendant/Respondent is a resident of Gwinnett County, Georgia and is subject to the jurisdiction of this Court as a result of the prior Order entered by this Court.

☐ (b) Defendant/Respondent is a resident of _____ County, Georgia and is subject to the jurisdiction of this Court as a result of the prior Order entered by this Court.

☐ (c) Defendant/Respondent is not a resident of Georgia, but is subject to the contempt jurisdiction of this Court as a result of the prior Order entered by this Court.

2. Service of Process: Defendant/Respondent shall be served as provided under OCGA § 9-11-4, in the following manner:

[Check only one of the following, either (a) or (b)]

☐ (a) Defendant/Respondent has acknowledged service of process. I am filing the Acknowledgment of Service (which has been signed by the Respondent) with this Petition.

☐ (b) Defendant/Respondent may be served by the Sheriff's Department at the Defendant/Respondent's ☐ home ☐ work address, which is:

☐ (b-1) [Check only if Defendant/Respondent resides outside of Gwinnett County.]

Defendant/Respondent resides outside of Gwinnett County, and shall therefore be served by second original, as provided under OCGA § 9-10-72. Service shall be made by the Sheriff's Department in the county where Defendant/Respondent resides.

3. An Order was entered in the Superior Court of Gwinnett County, Civil Action File No. _____ on _____ (date). A copy of that Order is attached.

4. In the prior Order, Defendant/Respondent was ordered to [check all that apply]:

☐ (a) pay Plaintiff/Petitioner \$ _____ per _____ in child support and, as of the date of the filing of this Petition, owes to the Plaintiff/Petitioner the following amount: \$ _____

☐ (b) To pay for and have medical insurance for the minor child(ren).

☐ (c) To pay Plaintiff/Petitioner back for medical bills in the amount of \$ _____

☐ (d) Other:

5. Defendant/Respondent was able to do what the Court ordered.
Defendant/Respondent's refusal to do so is willful.
- ☐ 6. Defendant/Respondent should be held in contempt of this Court's Order and incarcerated until such time as he/she purges him/herself of this contempt.
7. Defendant/Respondent should be ordered to reimburse the Plaintiff/Petitioner for payment in filing this action and for cost of service.
8. Since the date of the Court's order [*Check all that apply*]:
- ☐ (a) **Change in Petitioner's Income.** There has been a substantial change in my income or financial status which ☐ increases ☐ decreases my ability to pay the amount of child support previously awarded.
- ☐ (b) **Change in Respondent's Income.** There has been a substantial change in the income or financial status of the Defendant/Respondent which ☐ increases ☐ decreases his/her ability to pay the amount of child support previously awarded.
- ☐ (c) There has been a substantial change in the needs of the children as follows:
- _____
- _____
- _____
- ☐ (d) The obligation for support has terminated for the following reason(s):
- _____
- _____
9. I have not filed a petition for modification within two years of the filing of this petition.

WHEREFORE, I respectfully request the following relief [*check all that apply*]:

- (a) That process and summons issue as provided by law;
- (b) That Defendant/Respondent be served with a copy of this Petition;
- ☐ (c) That Defendant/Respondent be held in contempt and incarcerated for failure to comply with the Court's Order;

- ☐ (d) That a Rule Nisi be scheduled by the Court to decide on the relief I have ☐ requested;
- ☐ (e) That the order awarding child support be ☐ increased ☐ decreased ☐ terminated ;
- ☐ (f) That the Court order the parties to participate in mediation to try to resolve this matter;
- ☐ (g) That Defendant/Respondent be required to pay all costs of this action; and
- ☐ (h) That the Court order any and all other relief that the Court finds appropriate

Dated: _____

Plaintiff *Pro se*

Name: _____

Address: _____

City, State ZIP

Phone: _____

Email: _____

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<div style="text-align: center;">_____, Plaintiff/Petitioner, vs. _____, Defendant/Respondent.</div>	<div>Civil Action</div> <div>Case Number _____</div>
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VERIFICATION

PERSONALLY APPEARED BEFORE ME, the undersigned officer authorized to administer oaths, _____ who after having been duly sworn, on oath depose and states that the facts contained in the foregoing *Petition for Citation for Contempt and Modification of Child Support* are true and correct.

Dated: _____

☐ Plaintiff/Petitioner

Subscribed and sworn before me on

_____, 20____.

Notary Public