

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

Petitioner: _____ and Respondent: _____	Civil Action File No.: _____
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FINAL ORDER FOR CHILD SUPPORT MODIFICATION

This action came before the Court on _____, 20____. The Petitioner appeared *Self-Represented*. [Select one of the following.] The Respondent also appeared/ The Respondent did not appear. The Court heard the evidence and considered the matter. It is hereby Ordered and Adjudged that:

I.

[Choose only one (1) of the following.]

- The Petitioner did not satisfactorily prove that there has been a substantial change in his/her income or financial status or in the needs of the children so as to warrant a *Modification of Child Support*.
- The Petitioner did not satisfactorily prove there has been a substantial change in the Respondent's income or financial status or in the needs of the children so as to warrant a *Modification of Child Support*.
- There has been a substantial upward change in the income or financial status of the Respondent which increases his/her ability to pay the child support award previously ordered.
- There has been a substantial downward change in the income or financial status of the Petitioner which decreases his/her ability to pay the child support award previously ordered.
- There has been a substantial change in the needs of the children as follows: _____

II.

[Choose only one (1) of the following.]

- Child support shall not be modified.
- Child support shall be modified to reflect the substantial change in the income or financial status of the Petitioner/Respondent, or in the needs of the children.

III.

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 final order in this action. The specifics are as follows:

- 1) Gross Income – The Petitioner’s gross monthly income (before taxes) is _____ dollars; the Respondent’s gross monthly income is _____ dollars (before taxes).
- 2) Number of Children – The number of children for whom support is being provided in this case is _____.
- 3) Attachments – The *Child Support Worksheet* and *Schedule E* are attached and made a part of this *Addendum*, along with any other applicable schedules.
- 4) Child Support Amount – The _____ shall pay to the _____, for the support of the minor children in the sum of _____ dollars (\$ _____) per month, beginning on _____, 20_____.

5) Duration of Child Support

[You must check and complete **only one** of the following paragraphs.]

- a) Beyond Age 18 for High School – The child support shall continue monthly thereafter until each child reaches the age of eighteen, dies, marries, or otherwise becomes emancipated, provided that if the children become eighteen years old while enrolled in and attending secondary school on a full-time basis then the child support shall continue for the children until the children graduate from secondary school or reaches twenty years of age, whichever occurs first.
- b) Stop at Age 18 – The child support shall continue monthly thereafter until each child reaches the age of eighteen, dies, marries, or otherwise becomes emancipated.
- c) Until Further Ordered – This is not a final order, so the child support shall continue until further order of this Court.
- d) Until Specific Date – The child support shall continue monthly thereafter until _____.

6) Deviation from Presumptive Amount

[You must check and complete **only one** of the following paragraphs.]

- 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 4 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 been applied is _____ dollars 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.

7) Health Dental and Vision Insurance for Children

[You must check and complete **only one** of the following paragraphs.]

a) Insurance Available – The following insurance for the children involved in this action is available at a reasonable cost to the _____ through the 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, dies, marries, or otherwise becomes emancipated, except that if the children becomes eighteen years old while enrolled in and attending secondary school on a full-time basis, then the insurance shall be continued for the children until the children graduate from secondary school or reaches twenty years of age, whichever occurs first.

1. The parent who maintains the insurance shall provide the other parents 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 other 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 7(a)(1) and (2) shall apply.

8) Uninsured Health Care Expenses – The _____ shall pay _____% and the _____ shall pay _____% of all expenses incurred for the children’s health care (including medical, dental, mental health, hospital, 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 fifteen (15) days after receiving the verification of a particular health care expense.

9) Life Insurance

[You must check and complete **only one** of the following paragraphs.]

_____ shall maintain a policy of life insurance in the amount of \$_____ that names the minor children as irrevocable beneficiaries of the same. This life insurance policy shall be kept in full force effect until all child support obligations required of the

_____ have terminated. At least once each calendar year, _____ shall provide proof to _____ that the life insurance policy exists and is in full force and effect. _____ shall also provide _____ with a copy of said life insurance policy, naming the minor children as irrevocable beneficiaries, within 15 days of the Final Judgment and Decree.

- The Court does not order life insurance in this case.
- The parties agree that life insurance is not necessary in this case.

10) Parenting Time Amounts – The approximate number of days of parenting time per year according to the visitation order is _____ days for the Petitioner and _____ days for the Respondent.

11) Social Security Benefits

[You must check and complete **only one** of the following paragraphs.]

- a) Not Received – The children do not receive Title II Social Security benefits under the account of the parent ordered to pay child support. The benefits received by the children shall be counted as child support payments, and shall be applied against the final child support order to be paid by that parent.
- b) Received – The children receive Title II Social Security benefits under the account of the parent ordered to pay child support. The benefits received by the children shall be counted as child support payments, and shall be applied against the final Child Support Order to be paid by that parent.
 - 1) If the amount of benefits received is less than the amount of support ordered, the obligor shall pay the amount exceeding the Social Security benefit.
 - 2) If the amount of benefits received is equal to or more than the amount of support ordered, the obligor’s responsibility is met and no further support shall be paid.
 - 3) Any Title II benefits received for the children’s benefit shall be retained by the custodial parent or nonparent custodian for the children’s benefit, and it shall not be used as a reason for decreasing the final child support order or reducing arrearages.

12) Modification

[You must check and complete **only one** of the following paragraphs.]

- a) Not a Modification Action – This is an initial determination of child support, not a modification action.
- b) Support Not Modified – This action is a *Modification Action*, but the order does not modify the amount of child support that was previously ordered for the children. The date of the initial support order concerning this child support case was _____.

13) Continuing Garnishment for Child Support

Whenever, in violation of the terms of the order, 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.

14) Income Deduction Order

[You must check and complete **only one** of the following paragraphs.]

- a) An *Income Deduction Order* shall be entered by the Court under O.C.G.A. § 19-6-32 for payment of the child support and alimony (if any) provided. The *Income Deduction Order* shall take effect:

[To finish a), you must check either 1) or 2). Do not check both.]

- 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 not to 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