

Family Violence Petition

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

| | | |
|------------|---|----------------|
| |) | |
| |) | |
| Plaintiff, |) | |
| |) | CIVIL ACTION |
| v. |) | |
| |) | FILE NO. _____ |
| |) | |
| |) | |
| Defendant. |) | |

PETITION FOR RELIEF
O.C.G.A. §19-13-1, FAMILY VIOLENCE

_____, Plaintiff, files this his/her Petition pursuant to O.C.G.A.

§19-13-1 requesting a Temporary Protective Order and shows the Court the following:

1.

Plaintiff is sui juris and resides in _____, County, Georgia, at _____
 _____, _____ County, Georgia.

2.

Defendant, _____, is a resident of _____ County,
 Georgia, and is subject to the jurisdiction of this Court, and may be served at _____
 _____, _____ County, Georgia or at his/her place of
 business, _____, _____ County,
 Georgia.

3.

This matter is properly before this Court as to both jurisdiction and venue.

4.

Plaintiff and Defendant are husband and wife with children, _____, age _____, and _____, age _____, all of whom have been residing in the same residence at _____, _____, _____ County, Georgia.

5.

On or about _____, 20____, the Defendant committed the following acts of family violence against the Plaintiff and/or minor children: _____

6.

As a result of the acts of family violence committed by Defendant, Plaintiff is in reasonable fear for the safety and well-being of himself/herself as well as his/her children, and is in immediate danger of receiving further injuries from Defendant, and reasonably believes that there is a substantial likelihood of further family violence unless Defendant is restrained and enjoined as requested herein.

7.

Plaintiff shows that due to the substantial likelihood of immediate danger of further family violence, a protective order should be issued before service of this action is made upon Defendant.

8.

Defendant should be directed by this Court to refrain from any such further acts of family violence.

9.

Possession of the residence located at _____, _____, _____
_____ County, Georgia, should be granted to Plaintiff, and Defendant should be excluded from said residence and the adjoining residential premises.

10.

Temporary custody of the minor children should be awarded to Plaintiff with visitation by Defendant as Plaintiff may permit.

11.

It has been necessary for Plaintiff to employ an attorney to represent him/her in these proceedings and he/she is entitled to reasonable attorney's fees and costs of this litigation.

WHEREFORE, Plaintiff prays as follows:

- (a.) That this Court issue a Protective Order restraining and enjoining Defendant from committing acts of family violence against him/her and him/her children, awarding exclusive temporary possession of the residence at _____, _____, _____
_____ County, Georgia, to Plaintiff and requiring that Defendant remove himself/herself or be removed from said premises;

- (b.) That temporary custody of the minor children, _____, and _____, be awarded to Plaintiff, and Defendant be restrained and enjoined from removing said children from Plaintiff's control without Plaintiff's express permission, and further restrained from removing said children from the State of Georgia;
- (c.) That Defendant be ordered to pay reasonable attorney's fees and expenses of litigation;
- (d.) That Defendant be served according to law;
- (e.) That a hearing be set within ten (10) days within the filing of this Complaint directing Plaintiff and Defendant to appear before this Court and show cause why the demands of Plaintiff should not be granted;
- (f.) That Plaintiff have such other and further relief as the Court may deem just and equitable in the premises.

Respectfully submitted,

Plaintiff

Address: _____

Phone: _____

(Do not give current address if confidential,
give alternative address)

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

_____,)
)
Plaintiff,)
)
v.) CIVIL ACTION
)
) FILE NO. _____
_____,)
)
Defendant.)

VERIFICATION

Personally appeared before the undersigned notary public, duly authorized to administer oaths in the State of Georgia, _____, who, after being duly sworn, deposes and states that he/she is the Plaintiff in the foregoing action and that the facts contained in his/her Petition for Relief are true and correct to the best of his/her knowledge, information and belief.

This _____ day of _____, 20__.

Sworn to and subscribed before
me this _____ day of _____, 20__.

Notary Public
My Commission Expires: