

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

Case No.: _____

Plaintiff

VS

Defendant

SUMMONS

TO THE ABOVE NAMED DEFENDANT(S):

You are hereby summoned and required to file electronically with the Clerk of said court at <https://efilega.tylerhost.net/ofswab> and serve upon the Plaintiff's attorney, whose name, address and email is:

An answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

This _____ day of _____, 20_____.

Honorable Debra DeBerry
Clerk of Superior Court

By _____
Deputy Clerk

E-Filing and E-Service

Pursuant to the Superior Court of DeKalb County's E-File Order, dated December 27, 2016, and available at www.dksuperiorclerk.com/civil, the parties must file all documents electronically through eFileGA unless expressly exempted under the Rule. All orders and notices from the Court will be electronically filed and served through eFileGA. The parties must register for an eFileGA account, link their service contact information with the case and the party represent, and take whatever steps are necessary to ensure that correspondence from eFileGA reaches the parties' inboxes. To access eFileGA, please go to <http://www.odyssevefilega.com/>

DEKALB COUNTY SUPERIOR COURT
STATE OF GEORGIA

Petitioner,		
vs.		Civil Action
Respondent.		Case Number _____

PETITION FOR LEGITIMATION

The Petitioner files this action, and states the following in support of his petition:

1.

I believe I am the father of the following minor child(ren), born out of wedlock:

<i>Current Name of Child</i>	<i>Male / Female</i>	<i>Year of Birth</i>

2.

Jurisdiction and venue are proper in this Court because:

*[Check and complete **only one** of the following, (a) through (e) of this paragraph.
If none of these applies, you cannot file for legitimation in DeKalb County.]*

- (a) the Respondent mother resides in DeKalb County, Georgia.
- (b) the Respondent mother resides in Georgia outside DeKalb County, but the child or I reside in DeKalb County, and the mother has consented to venue here.
- (c) the Respondent mother resides outside the State of Georgia and the child or I reside in DeKalb County, Georgia.
- (d) the whereabouts of the Respondent mother are unknown and the child or I reside in DeKalb County, Georgia.
- (e) the mother of the child is deceased and the child or I reside in DeKalb County, Georgia.

3.

The Respondent, _____, is the child's mother.

*[Check and complete **only one** of the following.]*

- (a) The mother's address is _____
_____.
- (b) The mother is deceased.

4.

No other man is shown as the father on the birth certificate, and the mother was not married to any other man at the time of the child's conception or birth.

5.

*[Check and complete **all that apply** below.]*

The child lives with the following person who takes care of the child:

- (a) The Respondent / mother
- (b) The Petitioner / father
- (c) Neither the child's mother nor the Petitioner. Instead, the child lives with _____
_____, whose relationship to the child is _____
_____. They reside at the following address: _____
_____ in _____ County,
in the State of _____.

6.

My paternity of the child has been established by a court or by operation of law based on the child's birth certificate or, if paternity has not been legally established, I state that I am the child's natural father. I want to legitimate my relationship with the child, as provided in OCGA §19-7-22, so that the child will have full rights as my child, and I will have full rights as the father of the child. I believe that legitimation would be in the child's best interests.

7.

*[Check and complete **all that apply** below.]*

I want the birth records of the child to be changed as follows:

- (a) I want the child's last name to be changed on the birth record to my last name.
- (b) I want my name to be entered as the father on the birth record.
- (c) No changes are necessary on the birth record concerning either the father's name or the child's last name.

8.

[Check and complete part (a) or part (b), but not both.]

- (a) There is already a child support order concerning the child. The current order was issued by the _____ Court / Agency in court case number _____. It requires me to pay \$ _____ per _____.
- (b) There is currently no child support order concerning the child.

THEREFORE, the Petitioner asks:

*[Check and complete **only the ones that apply** below.]*

- (a) That process issue and the Respondent be served with a copy of this *Petition for Legitimation*;
- (b) That the Court order service by publication for the Respondent mother, whose address is unknown. I am filing my *Affidavit(s) of Diligent Search* with this *Petition*, and incorporate it here by reference.
- (c) I ask that the Court enter an Order legitimating my relationship with the child, so that the child will be recognized as my legitimate child, capable of inheriting in the same manner as if born in lawful wedlock;
- (d) That the last name of the child be changed to my last name;
- (e) That the Department of Vital Statistics be ordered and directed to amend the child's birth record and to reissue the birth certificate as follows:
 - [If you checked (e) here, you must also check and complete **all that apply** out of the two below.]*
 - (1) entering my name as the father on the birth record
 - (2) changing the child's last name to my last name.
- (f) I ask that the Court enter an Order providing for specific, liberal visitation privileges for me with the minor child.

- (g) I ask that the Court enter an Order granting the following custody:
 - (1) Joint legal custody of the minor child to be shared between the parents, with shared decision-making authority and full access to all information concerning the child's education, religious training and medical care.
 - (2) Sole legal and physical custody of the minor child to me.
- (h) That the Court grant such other and further relief as the Court deems fair and proper.

Dated: _____

 Petitioner, *Pro se* (Signature)

Name: _____

Address: _____

 Phone (day): (_____) _____

Email: _____

VERIFICATION

My name is _____ and I am the Petitioner in this action. I hereby swear or affirm, before a notary public, that I have read this *Petition for Legitimation*, which I am filing in court with this *Verification*, and the facts stated in the document are true.

 Petitioner

Subscribed and sworn before me on
 _____, 20____.

 Notary Public