

Family Law Solutions Training Manual

Introduction.....	1
<i>Life of a Family Law Case</i>	1
<i>Sample Case Map</i>	2
<i>Practical Application</i>	3
Delegation is Key.....	4
<i>Sample Delegation of Tasks</i>	5
<i>Sample Responsibilities Checklist</i>	6
Calendar is Life.....	7
Case List.....	8
<i>Sample Case List</i>	9
Case File Management.....	10
<i>Sample Case Files</i>	11
<i>Sample Pleadings Index</i>	12
Communications.....	13
Billing.....	15
<i>Sample Billing Phrasing</i>	16
Practical Advice for a Client Engaged in Family Law Litigation.....	17
Parenting Seminar.....	18
Leave of Absence.....	19
<i>Sample Notice of Leave of Absence</i>	20
Legal Conflicts.....	21
<i>Sample Conflict Letter</i>	22
E-Filing.....	24
<i>Sample Review E-Mails to Client</i>	25
Computer Hacks.....	26
<i>Sample Autocorrect Entries</i>	27
Helpful Resources.....	29
Overview of Family Law.....	3
<i>Divorce</i>	5
<i>Equitable Division</i>	6
Types of Equitable Division.....	6
Factors for Consideration in Equitable Division.....	6
<i>Alimony</i>	8
Establishing Alimony.....	9
Modification/Termination of Alimony.....	11
<i>Custody</i>	12
Generally.....	12
<i>Sample Request for Findings of Fact and Conclusions of Law</i>	13
Factors for Determining Custody – O.C.G.A. § 19-9-3(a).....	14
Modifying Custody.....	15
Child Election.....	16
<i>Sample Election Affidavit</i>	17
<i>Child Support</i>	18
Generally.....	18
Modification.....	19
Arrearages.....	20
<i>Paternity</i>	21
<i>Legitimation</i>	21
<i>Contempt</i>	22

<i>Registration & Enforcement of Foreign Custody Orders</i>	24
<i>Attorney’s Fees</i>	25
Intake of New Clients	27
<i>Initial Contact</i>	29
Intake Interview	29
After Initial Contact	31
<i>Sample Basic Intake Form</i>	32
<i>When a New Client Hires</i>	33
Initiating a New Case	35
<i>Identify the Parties</i>	37
<i>Jurisdiction and Venue</i>	37
Personal Jurisdiction Over Non-Residents	38
Personal Jurisdiction Not Required	38
<i>Custody</i>	39
Required Information.....	39
<i>Divorce</i>	41
<i>Sample Complaint/Petition for Divorce</i>	42
<i>Paternity</i>	48
<i>Sample Petition for Paternity and Child Support</i>	49
<i>Legitimation</i>	53
<i>Sample Petition for Legitimation</i>	54
<i>Contempt</i>	59
<i>Sample Motion for Contempt – Child Support</i>	60
<i>Registration & Enforcement of Foreign Orders</i>	65
<i>Sample Petition to Register & Enforce Foreign Judgment</i>	67
<i>Sample Affidavit in Support of Registration & Enforcement</i>	72
<i>Sample Notice to Register Foreign Judgment</i>	73
<i>Sample Order to Appear for Enforcement Hearing</i>	75
<i>Sample Order to Appear & Warrant to Take Custody of a Child</i>	77
<i>Modification of Custody and/or Child Support</i>	80
Modifying Custody	80
Modifying a Foreign Custody Order.....	81
<i>Sample Petition for Modification</i>	82
Modifying Child Support.....	88
Modifying a Foreign Child Support Order	88
<i>Sample Petition for Modification of Child Support</i>	89
<i>Filing Forms</i>	93
<i>Sample Verification</i>	95
<i>Sample Summons</i>	96
<i>Sample Case Filing Information Form</i>	97
Service	99
<i>Initial Service</i>	101
Service in Registration Actions	101
Service/Notice in UCCJEA Actions (Out-of-State Service/Notice).....	101
Personal Service.....	102
<i>Sample Acknowledgment of Service</i>	104
<i>Sample Rule Nisi Notice and Acknowledgment – Contempt Only</i>	105
<i>Sample Affidavit of Service – Service by Process Server</i>	108
Requesting the Appointment of a Process Server.....	109
<i>Sample Motion for Appointment of Special Process Server</i>	110
<i>Sample Affidavit of Process Server</i>	112

<i>Sample Order Appointing Process Server</i>	113
Service Outside of Georgia	114
Service on Non-Residents Subject to Personal Jurisdiction	114
Personal Service Outside of Georgia	115
<i>Sample Motion for Personal Service Outside Georgia</i>	116
<i>Sample Affidavit in Support of Motion for Personal Service Outside Georgia</i>	117
<i>Sample Affidavit of Process Server (Specific Person)</i>	118
<i>Sample Affidavit of Process Server (Owner of Process Service Agency)</i>	119
<i>Sample Order Granting Personal Service Outside State</i>	120
Service by Publication	121
<i>Sample Motion for Service by Publication</i>	122
<i>Sample Affidavit of Diligent Search</i>	123
<i>Sample Order for Service by Publication</i>	124
<i>Sample Notice of Filing</i>	125
<i>Sample Order Perfecting Service by Publication</i>	126
Service of Subsequent Pleadings	127
<i>Sample Certificate of Service</i>	128
Jumping into Ongoing Litigation	129
<i>First Things First</i>	131
<i>Sample Entry of Appearance</i>	132
<i>Sample Substitution of Counsel</i>	133
<i>Answering the Lawsuit</i>	134
<i>Sample Answer and Counterclaim for Divorce</i>	135
<i>Sample Answer and Counterclaim for Child Support</i>	143
<i>Sample Answer to Modification and Counterclaim for Contempt</i>	146
Amending/ Supplementing Pleadings	151
<i>Generally</i>	153
<i>Sample Amended Complaint for Divorce</i>	154
<i>Sample Amended Answer and Counterclaim</i>	155
<i>Sample Amended Motion</i>	157
Financials.....	159
<i>Important Rules from U.S.C.R. 24.2</i>	161
<i>Calculation of Monthly Income</i>	162
<i>Calculation of Child Support</i>	163
Process	163
Basic Child Support Obligation Table	164
Schedule A – Parents’ Incomes	164
Schedule B – Adjustments to Gross Income.....	164
Schedule D – Mandatory Deviations	165
Schedule E – Discretionary Deviations	166
Uninsured Health Expenses	168
Social Security Payments.....	168
<i>Practical Application – Creating a Child Support Worksheet</i>	169
Basic Information.....	170
Schedule A – Gross Income.....	171
Schedule B – Adjusted Income.....	172
Schedule D – Health Insurance/Child Care	173
Schedule E – Deviations	174
<i>Sample Online Child Support Worksheet</i>	179
<i>Sample Child Support Questionnaire</i>	186
<i>Domestic Relations Financial Affidavit</i>	189

<i>Sample Instructions to Client</i>	190
<i>Sample Domestic Relations Financial Affidavit</i>	191
<i>Marital Balance Sheet</i>	199
<i>Sample Marital Balance Sheet</i>	200
<i>Investigative Review</i>	201
Hearings & Status Conferences	203
<i>Temporary Hearings</i>	205
Scheduling a Temporary Hearing	206
<i>Sample Rule Nisi</i>	207
<i>Sample Notice of Hearing</i>	208
Witnesses at Temporary Hearings	209
Children & Temporary Hearings	209
<i>Sample Witness Affidavit</i>	210
<i>Sample Temporary Order</i>	211
<i>Status Conferences</i>	216
<i>Sample 30-Day Joint Compliance Certificate</i>	217
<i>Sample 30-Day Joint Compliance Worksheet</i>	218
<i>Sample 60-Day Joint Compliance Certificate</i>	220
<i>Motions</i>	221
<i>Sample Motion for Guardian ad Litem</i>	222
<i>Sample Order Appointing Guardian ad Litem</i>	225
<i>Sample Motion for Psychological Testing</i>	229
<i>Sample Motion for DNA Paternity Testing</i>	231
<i>Sample Motion for Drug & Alcohol Evaluation</i>	233
Discovery	237
<i>Overview of Discovery</i>	239
<i>General Discovery Rules, Regulations & Law</i>	239
<i>Informal Discovery</i>	241
<i>Sample Informal Discovery Request Letter</i>	242
Service of Discovery	243
<i>Sample Rule 5.2 Certificate of Service</i>	244
Managing the Discovery Process.....	245
Reviewing Discovery	246
<i>Sample Discovery Chart</i>	247
Mandatory Discovery	248
<i>Sample Mandatory Discovery Instructions to Client</i>	249
<i>Sample Required Documents to Be Produced</i>	251
<i>Sample Mandatory Interrogatories</i>	255
Issuing Discovery to Parties	261
Interrogatories	262
<i>Sample Interrogatories – Divorce</i>	263
<i>Sample Interrogatories – Modification</i>	275
Notice to Produce and Request for Production of Documents	283
<i>Sample Notice to Produce and Request for Production of Documents – Divorce</i>	284
<i>Sample Notice to Produce and Request for Production of Documents – Modification</i>	305
<i>Sample Notice to Produce (limited for trial)</i>	318
Requests for Admission	321
<i>Sample Requests for Admission to Opposing Party – Divorce</i>	322
Responding to Discovery	336
Response Timeline	337
<i>Sample Discovery Instructions to Client</i>	338
<i>Interrogatories – Sample Objections and Responses</i>	340

<i>Request for Production of Documents – Sample Objections and Responses</i>	345
<i>Requests for Admission – Sample Objections and Responses to</i>	350
<i>Depositions</i>	352
<i>Sample Notice of Taking Deposition – Party</i>	356
<i>Sample Subpoena for Deposition</i>	358
<i>Sample Notice of Taking Deposition of Non-Party</i>	359
<i>Sample Cover Letter to Deposition Witness</i>	361
<i>Requesting Documents from Non-Parties</i>	362
<i>Sample Request for Production of Documents to Non-Party</i>	363
<i>Sample Cover Letter to Deposition Witness</i>	365
<i>Sample Affidavit of Authenticity</i>	366
<i>Supplementing Discovery</i>	367
<i>Sample Request for Supplementation</i>	368
<i>Discovery Disputes</i>	370
<i>Good Faith Efforts Required</i>	370
<i>Sample 6.4(B) Letter – No Response</i>	371
<i>Sample 6.4(B) Letter – Attaching Discovery Chart</i>	372
<i>Sample 6.4(B) Letter – Deficient Response</i>	373
<i>Sample Letter – Counting Interrogatories</i>	376
<i>Seeking Court’s Assistance</i>	378
<i>Sample Fulton County Notice of Discovery Dispute</i>	379
<i>Sample Motion to Compel</i>	384
<i>Sample Order Granting Motion to Compel</i>	388
<i>Non-Compliance with Order Compelling Discovery</i>	390
<i>Sample Motion for Contempt and to Strike Pleadings</i>	391
<i>Discovery Attorney’s Fees</i>	394
Settling the Case	395
<i>Settlement Negotiations</i>	397
<i>Sample Settlement Offer Letter</i>	398
<i>Mediation</i>	404
<i>Scheduling Mediation</i>	404
<i>Preparing for Mediation</i>	405
<i>When the Case Settles</i>	407
Trial Prep	409
<i>Getting Ready for Trial</i>	411
<i>Assess Bench v. Jury</i>	411
<i>Sample Jury Demand</i>	412
<i>Discovery in Preparation for Trial</i>	413
<i>Interviewing Witnesses in Preparation for Trial</i>	414
<i>Sample Witness Interview</i>	415
<i>Trial Officially Set</i>	416
<i>Sample E-Mail Client to Confirm Trial and Details:</i>	416
<i>Prepare, Prepare, Prepare</i>	417
<i>Sample Scheduling Order</i>	418
<i>Sample Civil Pre-Trial Order – U.S.C.R. 7.2</i>	420
<i>Sample Domestic Relations Pre-Trial Order</i>	423
<i>Subpoenaing Witnesses for Trial</i>	430
<i>Sample Witness Subpoena</i>	431
<i>Sample Subpoena for Production of Evidence</i>	432
<i>Sample Cover Letter to Subpoenaed Witness</i>	433
<i>Sample Affidavit of Authenticity</i>	434
<i>Sample Notice of Witnesses Under Subpoena</i>	435

Exhibits	436
<i>Sample Exhibit List</i>	437
<i>Trial Day</i>	438
Closing the Case	439
<i>General</i>	441
<i>Sample Dismissal</i>	442
<i>Sample Final Disposition Form</i>	443
<i>Divorce</i>	444
<i>Sample Motion for Judgment on the Pleadings</i>	445
<i>Sample Petitioner’s Affidavit</i>	448
<i>Sample Order Granting Motion for Judgment on the Pleadings</i>	450
<i>Sample Questions for Final Divorce</i>	451
<i>Sample Report of Divorce</i>	452
<i>Sample Uncontested Final Judgment and Decree</i>	453
<i>Sample Settlement Agreement</i>	455
<i>Sample Contested Final Judgment and Decree of Divorce</i>	472
<i>Custody</i>	478
<i>Sample Parenting Plan</i>	478
<i>Child Support</i>	487
<i>Sample Child Support Addendum</i>	487
<i>Paternity</i>	492
<i>Sample Consent Paternity Order</i>	492
<i>Sample Contested Paternity Order</i>	495
<i>Legitimation</i>	497
<i>Sample Consent Legitimation Order</i>	498
<i>Sample Contested Legitimation Order</i>	501
<i>Registration of Foreign Order</i>	503
<i>Sample Order Registering Foreign Order</i>	503
<i>Contempt</i>	504
<i>Sample Consent Contempt Order</i>	504
<i>Sample Contested Contempt Order</i>	506
<i>Modification</i>	508
<i>Sample Consent Modification Order</i>	508
<i>Sample Modification Order</i>	511
<i>Post-Judgment Tasks</i>	514
<i>Close the File</i>	514
<i>Sample Close File Letter</i>	515