



3ID Legal Assistance Office Newsletter

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“SOLDIER FIRST, LAWYER ALWAYS”



- Welcome back to the latest edition of the 3ID Legal Assistance Newsletter. This edition of the Legal Assistance Newsletter will focus on divorce services.

Georgia Divorce Practices

By CPT Taylor K. Cox

- **Have you lived in Georgia long enough?** To file for divorce in Georgia, either spouse must have lived in Georgia for at least 6 months. If neither spouse has lived in Georgia for 6 months, the paperwork can still be completed but not filed until one of the spouses has resided in Georgia for 6 months.
- **Is any party pregnant?** Georgia does not permit divorce during pregnancy. Under Georgia law, the baby is presumed to be the husband's child, and that will need to be addressed in the divorce. Moreover, failure to disclose a pregnancy can result in the court setting aside the divorce.
- **Identify the type of divorce.** An uncontested divorce involves spouses who agree on the separation of their assets and dissolving of their marriage. Legal Assistance can provide substantial assistance with an uncontested divorce. In a contested divorce, the parties may not agree on the terms of the divorce, such as which parent has custody of the children, or whether they even want a divorce. In the case of a contested divorce, Legal Assistance will provide a list of local divorce attorneys you can hire at your own expense.
- **Print out court documents.** The necessary documents for divorcing spouses with children and without children are located on the Southern Judicial Circuit website. The documents are available at <https://southernjudicialcircuit.com/self-help-forms/family-law/>.
- **Completing the documents.** Legal Assistance has a binder that explains exactly how to fill out the divorce paperwork. Additionally, you should not sign your documents until you are in the presence of a notary. The Legal Assistance Office can notarize your documents for free.
- **Filing the Documents.** You can take the documents to your local courthouse and pay the filing fee, or E-file at <https://www.peachcourt.com> (any county in Georgia except Chatham) or <https://georgia.tylerhost.net/ofswweb/> (Chatham County).

608-99 Support

- A Soldier's obligation to provide AR 608-99 support begins when you and your spouse separate (no longer residing together). Absent an alternative agreement between the parties (spouses), AR 608-99 outlines a specific amount of money that is owed by the Soldier to the spouse and/or dependents.
- The amount of money owed is known as the BAH with RCT. The specific amount is based on your rank, the number of dependents you have, and a *non-locality* BAH chart created by DFAS. There are *several legal exceptions* that can impact the amount a Soldier owes under AR 608-99. If you have questions or want to learn more, please stop by Legal Assistance!

If you have inquiries or would like to schedule an appointment with one of our attorneys, please email us at: usarmy.stewart.forscom.mbx.fsga-legal-assistance-office@army.mil.

Disclaimer: These materials have been prepared for general informational purposes only, and are not legal advice. This information is not intended to create an attorney-client relationship, and receipt of it does not constitute an attorney-client relationship.

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