



CHARACTER AFFIDAVITS

If you and the other party cannot reach a reasonable settlement agreement in your case, you will go to court and the Judge will make a decision in your case. At a temporary hearing, you are only allowed one witness to speak to the Judge on your behalf. That person will be your character witness. In addition to your one live character witness, you are allowed to have additional friends, family members, co-workers, teachers and the like write “letters” to the Judge.

These letters are called Character Affidavits. It is more important to have detailed content than to have several generic affidavits. **We suggest obtaining around five solid character affidavits.** Character affidavits must be specific. Vague affidavits do nothing to help your case. For example, an affidavit from your boss that you are on time and have left work to get your sick kids from school is helpful in a custody case. Your neighbor witnessing your Wife driving drunk after a neighborhood party is helpful in a divorce case. An affidavit from the daycare that you always pick up the children is also helpful. Like the timeline, we only know what you tell us.

You should begin collecting character affidavits immediately. You do not want to be in a situation where you think you are going to settle, do not settle, and then are scrambling for people to support you before a judge.

The character affidavit must include the form provided to you. Be sure to make copies of the form and hand them out to your witnesses. Your witness must fill out the front page of the form and sign it in front of a notary. Your witness must then type out a letter, date it, and sign the letter in front of a notary. **Your witness must sign both the cover sheet and the letter in front of a notary.** We are available to notarize so long as your witness is physically present. Letters and affidavits not signed in front of a notary cannot be used and may cause harm to your case.

You must bring the original character affidavits to your first trial preparation appointment with the attorneys. At that meeting, the attorneys will determine if the affidavits can be used in Court. If there are problems with the affidavits, you will have time to get them fixed. We must physically have all affidavits 5 days before your hearing. Again, do not get stuck in a position thinking you will settle and then be scrambling.

As always, if you are not clear on the purpose of the character affidavit or do not understand what we need, feel free to send us an email or give us a quick phone call. We are here to help alleviate the stress of litigation and make this process as smooth as possible.

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

_____, Plaintiff)
)
v.) CAFN: _____
)
_____, Defendant)

CHARACTER AFFIDAVIT

_____, having been duly sworn, hereby states as follows:
(full legal name)

1.

My name is _____ and I am over age 18 and competent to testify in this matter.

2.

I wrote the attached letter to help _____ with this case. The letter is incorporated fully by reference to this affidavit.

3.

The letter is written in my own words and based on my own personal knowledge of the case and/or parties to this case.

4.

No one told me what to say. I am making these statements of my own free will.

So sworn this _____ day of _____, _____.

Signature of Affiant

Sworn to and subscribed before me
This _____ day of _____, _____

Notary Public