Circuit Court of Alexandria, Virginia

Judges
KATHLEEN M. USTON
REBECCA J. WADE
HEIDI E. MEINZER

Courthouse
520 King Street
Alexandria, VA 22314-3164
703.746.4123 (8:30am-4:00pm)
www.alexandriava.gov/CircuitCourt

UNCONTESTED DIVORCE PACKET

Revised: June 9, 2026

Posted to www.alexandriava.gov/CircuitCourt

For Pro Se Litigants (persons without legal representation)

This packet was prepared by Alexandria Circuit Court Judges' Chambers and includes

- Overview of the uncontested divorce process in Alexandria Circuit Court
- Sample documents for uncontested divorces in the Alexandria Circuit Court

This packet is available

(1) DOWNLOAD FOR FREE from the Court's website
www.alexandriava.gov/CircuitCourt
Scroll to **"DIVORCE SECTION > Uncontested case > Pro Se Divorce Packet"**

(2) AVAILABLE FOR PURCHASE from
Alexandria Law Library
520 King Street, Lower Level
Alexandria, VA 22314
703.746.4077
Hours: 9:00am to 2:00pm
Website: https://alexlibraryva.org/law-library

The following is intended to help a pro se litigant file for an uncontested divorce.
If you choose to proceed without the help of a competent attorney, you might unknowingly give up certain important rights. Many of these rights cannot be claimed later if not addressed as part of your final decree of divorce. Therefore, you are strongly encouraged to consult with an attorney about your individual situation so that you fully understand both your rights and future obligations before any final decree is entered by the Court.

Sample forms are included in this document.
They are only SAMPLES and may or may not apply to your particular circumstances. You are responsible for ensuring that the documents you file meet all the statutory requirements applicable to your individual circumstances. There is no substitute for the personalized legal advice that you may receive from a competent attorney.

DO NOT ASK COURT PERSONNEL FOR LEGAL ADVICE.
Court personnel are prohibited by state law from providing legal advice or assistance on how to complete documents.

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DISCLAIMER. These samples are not intended to address any or all issues relating to your particular circumstances or to offer legal advice regarding your individual claims or causes of action. The information set forth in these documents may or may not apply to your case and will need to be changed to reflect the specific facts and circumstances of your case. These forms are NOT intended to provide legal advice regarding any rights or obligations you may have under Virginia law and should NOT be relied upon as such. To the extent these forms refer to provisions of the Code of Virginia, it is NOT, nor is it meant to be, an exhaustive listing of all sections of the Code of Virginia that apply to your case. Use of these sample documents will not guarantee that the Court will grant your request for a divorce. Failure to consult with a competent attorney before filing and/or obtaining a divorce may result in your waiving important rights or not receiving benefits to which you may otherwise by entitled to legally.

SAMPLE DOCUMENTS in this packet

Sample Number	Document Description	Page Number
1	ACCEPTANCE/WAIVER • Form CC-1406 • Notary Public required. • Defendant must sign this document in front of a Notary Public.	14
2	ADDENDUM FOR PROTECTED IDENTIFYING INFORMATION • Form CC-1426	15
3	AFFIDAVIT FOR SERVICE BY PUBLICATION • Notary Public required. • Plaintiff must sign this document in front of a Notary Public.	16
4	AFFIDAVIT FOR WAIVER OF RIGHTS UNDER THE SERVICEMEMBERS CIVIL RELIEF ACT • Notary Public required. • Defendant must sign this document in front of a Notary Public.	17
5	AFFIDAVIT OF PLAINTIFF IN SUPPORT OF DIVORCE • Notary Public required. • Plaintiff must sign this document in front of a Notary Public.	18

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6	MOTION TO AMEND COMPLAINT FOR DIVORCE	23
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---	AMENDED COMPLAINT • Sample document not provided.	---

COMPLAINT FOR DIVORCE section.		
---	Instructions for Complaint for Divorce. • 3 sample documents in this packet. • Use the sample that fits your situation.	---
8	COMPLAINT FOR DIVORCE based on (1) 6-month separation period has passed; (2) No minor children born or adopted of the marriage; and (3) With a Property Settlement Agreement signed by both spouses. • No Notary. • Complaint for Divorce – Plaintiff's signature should not be notarized.	25

SAMPLE DOCUMENTS in this packet (continued)

Sample Number	Document Description	Page Number
9	COMPLAINT FOR DIVORCE based on (1) 1 year separation period has passed; (2) No minor children born or adopted of the marriage; and (3) With or without a Property Settlement Agreement signed by both spouses. • No Notary. • Complaint for Divorce – Plaintiff's signature should not be notarized.	28
10	COMPLAINT FOR DIVORCE based on (1) 1 year separation period has passed; (2) With minor children born or adopted of the marriage; and (3) With or without a Property Settlement Agreement signed by both spouses. • No Notary. • Complaint for Divorce – Plaintiff's signature should not be notarized.	31
11	COVER SHEET FOR FILING CIVIL ACTIONS • Form CC-1416	34
FINAL DECREE section.		
---	Instructions for Final Decree. • 3 sample documents in this packet. • Use the sample that matches the Complaint for Divorce that was filed in your case.	35
12	FINAL DECREE to match a Complaint for Divorce based on (1) 6-month separation period has passed; (2) No minor children born or adopted of the marriage; and (3) With a Property Settlement Agreement signed by both spouses. • No Notary. • Final Decree - Neither spouse's signature should be notarized. The Defendant must sign the Final Decree if service was by Acceptance/Waiver.	36
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Sample Number	Document Description	Page Number
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15	NAME CHANGE ORDER • No Notary. • Name change order - Signature should not be notarized.	50
---	PROPERTY SETTLEMENT AGREEMENT instructions. • No Notary. • Signatures on a PSA should not be notarized.	53
18	VS-4 FORM. • No Notary. • Signature on a VS-4 form should not be notarized.	52

CHAPTER 1

Court contact information
Lawyer referral
Legal Resources for Virginia divorce laws

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1. **COURT CONTACT INFORMATION**

   A. **CLERK OF CIRCUIT COURT**
   520 King Street, Room 307 Alexandria, VA 22314
   703.746.4044 8:00am to 4:00pm
   Website: www.alexandriava.gov/ClerkofCourt
   --- File Original Documents
   --- Call for case status
   --- Obtain copies of orders

   B. **JUDGES' CHAMBERS**
   520 King Street, 4th Floor Alexandria, VA 22314
   4th floor drop box for mandatory copies
   703.746.4123 8:30am to 1:00pm / 2:00pm to 4:00pm
   Website: www.alexandriava.gov/CircuitCourt
   --- 4th Floor drop box for copy of documents filed in the Clerk's office
   --- Judicial Law Clerk (staff attorney) – respond to telephone voicemail
   --- Schedule uncontested *ore tenus* hearing or contested divorce trial

2. **ATTORNEY RECOMMENDATIONS / LAWYER REFERRAL**

   The Court cannot make recommendations or referrals for specific attorneys.
   A. ALEXANDRIA LAWYER REFERRAL SERVICE
   703.548.1106 Website: Alexandriabarva.org/find-a-lawyer
   B. LEGAL SERVICES OF NORTHERN VIRGINIA
   703.684.5566 Website: www.lsnv.org
   C. VIRGINIA STATE BAR LAWYER REFERRAL SERVICE
   1.800.552.7977

3. **LEGAL RESOURCES for Virginia divorce laws**

   A. RULES OF THE SUPREME COURT OF VIRGINIA available in the Alexandria Law Library and also on the internet https://law.lis.virginia.gov/vacode/
   B. VIRGINIA CODE https://law.lis.virginia.gov/vacode
   C. SELF-HELP – VIRGINIA ACCESS TO JUSTICE COMMISSION
   https://selfhelp.vacourts.gov/
   D. SUPREME COURT OF VIRGINIA website http://www.vacourts.gov/courts/scv/home
   E. MILITARY PERSONNEL – contact your Judge Advocate General ("JAG") office for assistance with their uncontested divorce.

CHAPTER 2

Pro se litigant's responsibilities
How to file in the Clerk's office (filing fee; date stamped copies; service fees; copying fees)
Service on your spouse (mandatory; authorized process servers)
Answer by the Defendant

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1. PRO SE LITIGANT's responsibilities (if you are representing yourself without legal counsel)

A. Must follow the same procedures as an attorney.
B. Are held to the same standards as an attorney.
C. Not allowed to ask Court personnel for legal advice or how to complete a form.
D. You are encouraged to hire an attorney. Pro se litigants may unknowingly lose rights to custody or visitation, child or spousal support, distribution of property or other legal claims arising out of your marriage. Additionally, if the Defendant's whereabouts are unknown or if the Defendant is incarcerated for committing a felony there may be additional requirements that an attorney would be best situated to assist you.

2. HOW TO FILE IN THE CLERK'S OFFICE

A. FILE THE DOCUMENTS IN THE CLERK'S OFFICE
   (1) Clerk's office address **520 King Street, Room 307 Alexandria, VA 22314**
   703.746.4044 Hours: Monday through Friday, 8:00am to 4:00pm.
   Closed for all Holidays: Federal, State, City and Supreme Court of Virginia
   (2) IN-PERSON OR BY MAIL/MESSENGER ONLY. The Clerk's Office does not currently accept emailed or electronic documents. Any changes to the filing process is controlled by the clerk's office.

B. FILING FEE.
   (1) A filing fee is required to be paid when the Complaint for Divorce is filed.
   (2) Call 703.746.4044 if you are unsure how much to pay or what forms of payment are accepted by the Clerk of Circuit Court.
   (3) Waiver of the filing fee is possible only if the Plaintiff is a Virginia resident, is receiving public assistance or has an income within poverty guidelines. If so, the Plaintiff must complete Form CC-1414 and provide the necessary documentation.

C. DATE-STAMPED COPIES. Bring TWO copies of every document and ask the Clerk to date-stamp the copies (to indicate the date and time the documents were filed).

D. SERVICE FEES. The Plaintiff must pay a fee to the Clerk of Court for the Defendant to be served with the Complaint for Divorce if the following service methods are used:
   (1) Sheriff Service – there is a service fee
   (2) Service by Publication in a Newspaper – there is a publication fee
   (3) Private Process Service – the fee is paid to the private process server, not the Clerk of Court

E. COPYING FEES may be necessary if the Plaintiff does not provide a copy of the Complaint for Divorce when requesting service.

3. SERVICE ON YOUR SPOUSE

A. **SERVICE IS MANDATORY. THE PLAINTIFF MUST SERVE THE COMPLAINT FOR DIVORCE AND SUMMONS ON THE DEFENDANT**.

B. An Amended Complaint for Divorce and related Motions might also have to be served on the Defendant.
   (1) PROPER SERVICE may be performed by a Deputy Sheriff, Private Process Server or Publication in a Newspaper.
   (2) IMPROPER SERVICE. The Plaintiff cannot mail, email, or give the Complaint to the Defendant themself. The Plaintiff also cannot have a friend or family member give the Complaint for Divorce to the Defendant.

CHAPTER 3
DEFENDANT'S ANSWER

1. The Defendant may file an Answer to the Complaint to protect their interests or object/agree to the divorce but is not required to do so.
2. The Answer must be filed within 21 days after the Defendant was served with the Complaint.
3. Defendant's answer will determine if the case is
   A. **Uncontested** – There are no issues for the Court to decide. The parties have agreed to all issues (including property, custody and support); or
   B. **Contested** – There are contested issues (such as property, custody, support, etc.) for the Court to decide. Contested divorces require a hearing on a date certain. Please contact Chambers to schedule a date certain.

CHAPTER 4
TYPES OF SERVICE ON THE DEFENDANT

Types of Service on the Defendant (choose one)

1. Acceptance/Waiver
2. Sheriff service
3. Private Process Service
4. Publication Service

Types of Service on the Defendant (choose one)

1. **ACCEPTANCE/WAIVER – FORM CC-1406**
   - A. Used by the Defendant to both accept service and waive notice of future hearings.
   - B. **NOTARY REQUIRED.** The Defendant is required to sign the Acceptance/Waiver in front of a Notary Public. (Hint: Internet search for Notary Public near me.)
   - C. **THE DEFENDANT MUST ALSO SIGN THE FINAL DECREE.** If the Defendant signs the Acceptance/Waiver (in front of a notary), the Defendant is also required to sign the Final Decree.

2. **SHERIFF SERVICE**
   - A. **SHERIFF SERVICE MAY BE USED** only if the Defendant resides in the Commonwealth of Virginia. Service by Sheriff can take approximately one to two months, or longer, depending on the circumstances.

   - B. **PLAINTIFF'S INSTRUCTIONS FOR SHERIFF SERVICE**
     - (1) PREPARE WRITTEN REQUEST
       - a. Addressed to the Clerk of Circuit Court.
       - b. Requests service on the Defendant by the Sheriff
       - c. Includes the Defendant's name and residential address (which must be in the Commonwealth of Virginia)
     - (2) MAKE A COPY of the following documents
       - a. Written service request for your file
       - b. Complaint for Divorce that was filed in the Clerk's office (or pay an additional copying fee to the Clerk of Court)
     - (3) FILE DOCUMENTS IN THE CLERK'S OFFICE
       - a. Go to the Clerk's office **520 King Street Room 307 703.746.4044 8:00am-4:00pm**
       - b. File the written request for service and copy of the Complaint
       - c. Date-stamped copy. Ask the Clerk to date-stamp the written request for service to indicate the date and time the documents were filed.
       - d. **PAY THE SHERIFF SERVICE FEE.** Call the Clerk's office to determine the amount to be paid. **703.746.4044 8:00am to 4:00pm**
   - C. **SHERIFF'S OFFICE TASKS**
     - (1) The Sheriff's Office receives the Service Documents from the Clerk's office and serves the Defendant.
     - (2) The Sheriff's Office files the Proof of Service (indicating the date, time and method by which the Defendant was served) in the Clerk's office.

3. **PRIVATE PROCESS SERVICE**

A. Private process service may be used if
   (1) The Defendant does not reside in the Commonwealth of Virginia; or
   (2) The Plaintiff wants the Defendant served more quickly than Sheriff Service allows.

B. **TIME ESTIMATE FOR PRIVATE PROCESS SERVICE.** Ask the private process server how long before the Affidavit of Service is filed in the Clerk's office

C. **PLAINTIFF'S INSTRUCTIONS FOR PRIVATE PROCESS SERVICE**
   (1) **LOCATE A PRIVATE PROCESS SERVER.** Search the internet for "private process server Alexandria Virginia". The Court cannot recommend a private process server.
   (2) **PREPARE WRITTEN REQUEST**.
      a. Addressed to the Clerk of Circuit Court.
      b. Requests service on the Defendant by Private Process Server
      c. Includes the Defendant's name and residential address
   (3) **MAKE A COPY** of the following documents
      a. Written service request for your file
      b. Complaint for Divorce that was filed in the Clerk's office (or pay an additional copying fee to the Clerk of Court)
   (4) **FILE DOCUMENTS IN THE CLERK'S OFFICE**
      a. Date-stamped copy. Ask the Clerk to date-stamp the written request for service to indicate the date and time the documents were filed.
   (5) **PRIVATE PROCESS SERVICE FEE** is paid to the Private Process Server. No fee is paid to the Clerk of Circuit Court unless a copy of the Complaint for Divorce is not attached to the written request.

D. **PRIVATE PROCESS SERVER TASKS**
   (1) Picks up the Service Documents from the Clerk's office (Room 307).
   (2) Serves the Defendant with the Service Documents.
   (3) Completes and files the Affidavit of Service.

4. **PUBLICATION SERVICE**

A. May be used **ONLY IF**
   (1) The Defendant does not reside (live) in the Commonwealth of Virginia; or
   (2) The Plaintiff is unable to locate the Defendant after **DUE DILIGENCE** (the Plaintiff must attempt to locate the Defendant by all available methods: call the Defendant's telephone number; ask mutual friends; ask the Defendant's relatives, etc.).

B. MAY NOT BE USED IF the Plaintiff knows the Defendant's address or if the Defendant resides in the Commonwealth of Virginia.

C. **Publication End Date**
   (1) The deadline, assigned by the Clerk's office, is for the Defendant's Answer to be filed in the Clerk's office.

D. **LIMITATION ON RELIEF IN PUBLICATION CASES**
   (1) The Court may rule on
      a. Marriage termination
      b. Incorporation of written agreements signed by both parties
      c. Child custody award
   (2) The Court may not rule on
      a. Child support
      b. Spousal support
      c. Property distribution

E. **AFFIDAVIT FOR SERVICE BY PUBLICATION – Instructions for Plaintiff**

(1) Prepare the AFFIDAVIT FOR SERVICE BY PUBLICATION **(Sample document 9)**

(2) Document format – must be typed and not handwritten; on 8.5" x 11" paper with 1 inch margins; single (not double) sided; and double (not single) spaced

(3) **NOTARY PUBLIC REQUIRED**. (Hint: Check the internet. Search for "notary public near me").

(4) **Sign the affidavit in front of a Notary Public.** The Notary Public will sign, date and stamp the \ document with their notary information. (Affidavits not notarized will be rejected.)

(5) **MAKE A COPY** of each of the following documents:

a. Affidavit for Service by Publication for your file

b. Complaint for Divorce (or pay an additional copying fee)

(6) **GO TO THE CLERK'S OFFICE** 520 King Street Room 307 703.746.4044

a. File the Affidavit for Service by Publication.

b. Date-stamped copy. Ask the Clerk to date-stamp your copy to indicate the date and time the document was filed.

c. Pay Publication fee and any necessary copying fee to the Clerk of Circuit Court.

F. **NEWSPAPER TASKS**

(1) Publishes the Order of Publication for the required period time ("Publication Period").

(2) Files the Affidavit of Publication in the clerk's office (Room 307) after the publication period has passed.

CHAPTER 5
TESTIMONY

Required Testimony
Affidavit (sworn written testimony)
Ore Tenus (sworn oral testimony at an in-person hearing)
Court Reporter required in *ore tenus* cases if service was by publication
Interpreter
Court Review of Documents Prior to Hearing
If Your Case is Removed from the *Ore Tenus* Docket
Attending the *Ore Tenus* Court Hearing
The Final Decree is entered
Copies of the Final Decree

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1. **REQUIRED TESTIMONY.** The Plaintiff is required to provide testimony in all divorce cases. The Plaintiff selects how to provide the required testimony.
   A Sworn, written affidavit; or
   B. Sworn, oral testimony at an in-person *ore tenus* hearing

2. **SWORN, WRITTEN AFFIDAVIT** (Affidavit Divorce)
   A. **Affidavit in Support of Divorce** is typed by the Plaintiff and includes the facts of the case. The Affidavit statements must match the facts that were included in the Complaint for Divorce.
   B. **Document Format**. The Affidavit must be typed and not hand-written; on 8.5" x 11" paper with 1-inch margins; single (not double) sided; and double (not single) spaced
   C. **Notary Public required.** The affidavit must be signed and sworn to in front of a Notary Public. Go to a Notary Public (Hint: Check the internet "search for notary public near me").
   D. **The Plaintiff signs the Affidavit** in front of the Notary Public. The Notary Public will sign, date and stamp the affidavit with their notary information.
   E. Make one copy of the Affidavit for your file.
   F. **GO TO THE CLERK'S OFFICE 520 King Street Room 307 703.746.4044**
   G. File the Affidavit of Plaintiff in Support of Divorce.
   H. Date-stamped copy. Ask the Clerk to date-stamp the document to indicate the date and time the document was filed.

3. **SWORN, ORAL TESTIMONY** at an IN-PERSON ***ORE TENUS* COURT HEARING**
   A. **SCHEDULE *ORE TENUS* IN-PERSON COURT HEARING**
      (1) Call Judges' Chambers **703.746.4123 8:30am to 1:00pm and 2:00pm to 4:00pm**
      (2) *Ore tenus* hearings are held once or twice a month on a Friday at 9:00 a.m.
      (3) The schedule is posted on the Court's website at **www.alexandriava.gov/CircuitCourt** > Scroll to "Uncontested 9:00am hearings"
   B. **(Local Rule)**
      PUBLICATION CASES REQUIRE A COURT REPORTER AT THE PLAINTIFF'S EXPENSE
      (1) **Applies only to in-person *ore tenus* hearings and not to affidavit divorces.**
      (2) The Plaintiff is required to hire a court reporter if service was by Publication in a Newspaper.
      (3) The Plaintiff is required to hire and pay for a Court Reporter for all in-person *ore tenus* uncontested divorce hearings.
         a. **Hire a court reporter**. Locate a court reporter on the internet (search for "Alexandria Virginia Court Reporters"). The Court is not allowed to recommend a specific company. Ask the court reporter to meet you in the 4th floor lobby or courtroom on the day of the in-person court hearing.
         b. On the day of the hearing – see paragraph I below.

C. **SCHEDULE INTERPRETER** (if needed)

(1) **Should be done immediately after scheduling the court hearing**

(2) Follow the instructions on the Court's website **www.alexandriava.gov/CircuitCourt** > Scroll to "Interpreter"

G. **COURT REVIEW OF DOCUMENTS PRIOR TO COURT HEARING**

(1) A Judicial Law Clerk (Staff Attorney) reviews the case documents.

(2) **ERRORS and/or MISSING DOCUMENTS.** If corrections are necessary or documents are missing a Judicial Law Clerk (staff attorney) will contact the Plaintiff.

(3) **DEADLINE FOR DOCUMENT CORRECTIONS** i

a. The filing deadline is assigned by the Judicial Law Clerk.

b. **The case will be removed from the docket if the corrections are not filed prior to the deadline or if the corrected documents contain additional errors.**

1. Filed in the Clerk's office
2. Mandatory copy delivered to the 4th floor drop box

H. **IF YOUR CASE IS REMOVED FROM THE *ORE TENUS* DOCKET**

(1) File the corrected documents in the Clerk's office

(2) Deliver a mandatory copy of the corrected documents to the 4th floor drop box

(3) Then call Judges' Chambers to reschedule the trial date

703.746.4123 8:30am to 1:00pm / 2:00pm to 4:00pm

I. **ATTENDING THE *ORE TENUS* COURT HEARING**

(1) Hearing time and location **9:00am 520 King Street, 4th floor**

(2) The Defendant may attend the court hearing but is not required to do so.

(3) The Plaintiff provides sworn, oral testimony to the Judge.

(4) The Judge signs the Final Decree (and the divorce is finalized) at the *ore tenus* hearing. Copies of the Final Decree are available from the Clerk's office approximately one hour after the hearing ends.

(5) Service by publication cases – **Court Reporter must attend the hearing; Final Decree not signed until after the hearing transcript is filed**

a. Court Reporter must also attend the hearing

b. **Written transcript required.** The Court Reporter prepares a written transcript and files the transcript in the Clerk's office.

c. **Final Decree.** The Judge signs the Final Decree after the written transcript is filed in Room 307 (the divorce is finalized when the Final Decree is signed by the Judge).

CHAPTER 6
FREQUENTLY ASKED QUESTIONS ("FAQs")

1. **DOCUMENTS NEEDED: What documents do I need to file for an uncontested divorce?**
   (a) Certain documents are required regardless of whether you are proceeding under the grounds of six-month or one-year separation (Cover Sheet, Complaint, Proof of Service, VS-4 Form, Privacy Addendum, and Final Decree).
   (b) Other documents are required depending on whether your spouse is in the military (Waiver of Rights Under the Servicemembers Civil Relief Act), if you are proceeding on the grounds of six-month separation (Property Settlement Agreement signed by both parties), or if you are proceeding with an *Ore Tenus* Hearing or by Affidavit.
   (c) Depending on how your spouse is served you may also need to file proof of Notice.
   (d) If either party is seeking restoration of their former/maiden name you must ask for this in the Complaint and a separate Order of Name Change must be filed. Each situation is unique and you are responsible for filing all required documents.

2. **TIME ESTIMATE: How long does an affidavit divorce take?**
   (a) It depends. Once all the documents have been filed it can take up to six (6) weeks to review but this is contingent on how service was made on your spouse and the availability of court staff to review the documents. Uncontested divorces are reviewed in the order in which they are received. If you are proceeding with Service by Publication, you must wait an additional four (4) weeks for the publication to run and the date for your spouse to respond must pass before the judge can sign the Final Decree.
   (b) If all your documents are correct, your case will be presented to a judge. The Final Decree and other orders (if any) will likely be entered within a week.
   (c) If you need corrections, the process will take longer subject to how quickly you file your corrected documents and the availability of court staff to review them. Corrected documents are reviewed in the order in which they are received.
   (d) DO NOT set your case for a Motions Day, the Final Decree cannot be entered at a Motions Day hearing. Your matter will be removed if set for a Motions Day.

3. **AFFIDAVIT OF PLAINTIFF IN SUPPORT OF DIVORCE**
   (a) Is required only for those persons who do not wish to proceed with an in-person hearing.
   (b) Is not required to be filed if you are proceeding with an *Ore Tenus* In-Person Court hearing.

4. **CORRECTIONS. What if I need to file corrections?**
   (a) If you need to file corrections court staff will contact you.
   (b) You must submit new documents (you cannot edit the documents that were originally filed).
   (c) All information must be consistent across all documents (e.g., the date of separation, date of marriage, etc. must be the same across all the documents).

5. **CORRECTIONS. How do I correct my Complaint?**
   (a) In Virginia, you must have leave of court to file an Amended Complaint.
   (b) If your Complaint needs to be corrected, you must file three (3) documents:
      (1) Amended Complaint (correcting the issue)
      (2) Motion to Amend Complaint for Divorce
      (3) Leave to Amend Order

6. **DATE OF SEPARATION. What is the date of separation?**
   (a) The date of separation is when the parties started living separate and apart and intended that separation to be permanent.
   (b) The separation period is the minimum period of time that must have passed before the Complaint for Divorce can be filed in the Clerk's office. **DO NOT FILE TOO SOON or your case will be dismissed.**
   (c) The separation period is either
      a. Six-months with no minor children and a signed Property Settlement Agreement; or
      b. One-year with or without minor children and with or without a signed Property Settlement Agreement.
   (d) **MINOR CHILDREN** If the parties have minor children born or adopted of the marriage, the law requires that the Complaint for Divorce be filed after the parties have been separated for at least one year. Virginia Code § 20-91(A)(9)(a).

7. **FILING TOO SOON. What if I file before my separation period has passed?**
   (a) You must wait until AFTER the separation period has passed BEFORE you file the Complaint in the Clerk's office (Room 307).
   (b) The separation period is either
      (1) Six-months with no minor children and a signed Property Settlement Agreement; or
      (2) One-year with or without minor children and with or without a signed Property Settlement Agreement.
   (c) If you file too soon your case will be dismissed and you will have to file a new Complaint after the separation period has passed and pay a new filing fee.

8. **GROUNDS FOR DIVORCE. What are the grounds for divorce?**
   (a) An uncontested divorce will be either on the grounds of six-month or one-year separation.
   (b) "Irreconcilable differences" is not an acceptable ground.

9. **NAME CHANGE. What if I want to restore my former/maiden name?**
   Include this information in your Complaint and file a separate Name Change Order.

10. **NOTARIZATION REQUIREMENT. What documents need to be notarized?**
   (a) DOCUMENTS THAT REQUIRE NOTARIZATION.
      (1) The Affidavit, Acceptance/Waiver of Service, and Waiver of Rights Under the Servicemembers Civil Relief Act are the only documents that must be notarized.
      (2) DO NOT SIGN these documents until you are in front of the Notary Public because the Notary must witness you signing the document.
   (c) COMMON ERROR BY NOTARY.
      (1) The notary will put their name instead of yours in the certification (see below; highlighted in yellow). If this happens, you will need to sign the document again in front of a Notary Public.

COMMONWEALTH OF VIRGINIA

_____ *(City or County),* to wit:

Subscribed and sworn to/affirmed before me this _____ day of _____, 20____

by _____ *((Plaintiff's name).*

_____
Notary Public

Registration Number: _____

My Commission Expires: _____

11. **PUBLICATION SERVICE – How is service by publication different from other types of service?**
    (a) Service by publication has limitations on relief that can be granted.
        (1) The Court may rule on the termination of the marriage, incorporation of written agreements that are signed by both parties and child custody award.
        (2) The Court cannot rule on child support, spousal support, or property distribution (absent a written agreement signed by both parties).
    (b) **(local rule)** For an in-person *Ore Tenus* court hearing
        (1) You must hire a court reporter (the Court does not provide a court reporter).
        (2) The court reporter's written transcript of the court hearing must be filed in the Clerk's office (Room 307).
        (3) The Judge will not sign the Final Decree until after the written transcript is filed in the Clerk's office.
    (c) **Persons filing an Affidavit of Plaintiff in Support of Divorce are not required to hire a Court Reporter.**

12. **RESIDENCY AND DOMICILIARY REQUIREMENT. What is the residency and domiciliary requirement?** At least one party must be a resident and domiciliary of the Commonwealth of Virginia for at least six months immediately prior to filing the Complaint for Divorce. Virginia Code § 20-97. If this requirement is not met, your case will be dismissed.

CHAPTER 7
CHECKLIST

Do not file this form. This is a tool to assist you.

---

1. COVER SHEET FOR FILING CIVIL ACTIONS - VIRGINIA FORM CC-1416
   - □ Include your contact information (both phone number and email) so the Court can contact you if corrections are needed. Search for "Virginia Form CC-1416". Please ensure that your contact information is legible, otherwise we may have difficulties contacting you.
2. COMPLAINT FOR DIVORCE
   - □ State the grounds (six-month or one-year separation), include all required information, the Property Settlement Agreement ("PSA") date is the latest or most recent date the document was signed (by either party). The Plaintiff must sign the Complaint for Divorce.
3. NAME CHANGE (IF SEEKING RESTORATION OF FORMER NAME)
   - □ Ask for the name change in the Complaint.
   - □ File a separate Order for Name Change signed by the party seeking the name change.
4. PROOF OF SERVICE (PICK ONE)
   - □ Acceptance & Waiver
   - □ Service by Sheriff
   - □ Service by Private Process Server
   - □ Service by Publication
5. NOTICE (PICK ONE)
   - □ Defendant signs the Final Decree (required for Acceptance & Waiver)
   - □ Certificate of mailing pursuant to Virginia Code § 8.01-296(2)(b).
   - □ Service by Publication (Affidavit of Publication that the notice was published for four consecutive weeks in the newspaper).
   - □ Personal service with no Answer (nothing additional needs to be filed).
6. AFFIDAVIT OR *ORE TENUS*
   - □ AFFIDAVIT – File this notarized document with all required information pursuant to Virginia Code § 20-106(B). It must state that neither party is pregnant.
   - □ *ORE TENUS* – Call Chambers to schedule your in-person hearing (703) 746-4123.
     - □ Proof of Notice on your spouse of this hearing may be required.
7. VS-4 FORM
   - □ Obtain this original document from the Clerk's Office (Room 307). Every section must be filled out (except for #3 & #12 "maiden name").
     a. If you do not know the information, write "unknown".
     b. #26 check the box that matches the Plaintiff. Do NOT check "both".
     c. #27 should state EITHER "6-month separation" or "one-year separation".
8. ADDENDUM FOR PROTECTED IDENTIFYING INFORMATION
   - □ Must include both SSNs of both spouses, if you do not know write "unknown".
9. PROPERTY SETTLEMENT AGREEMENT ("PSA")
   - □ Required for 6-month separation grounds, but not for one-year separation grounds
   - □ Signed by both spouses
   - □ This Agreement is dated by the last date it is signed (i.e. the date the second spouse signs it)
10. FINAL DECREE
    - □ Incorporate the Privacy Addendum AFTER the divorce is "ORDERED"
    - □ Ensure the PSA date matches the PSA (if the parties have one)
    - □ Ensure the Beneficiary notice is in **bold font** pursuant to Virginia Code § 20-111.1(E).
    - □ Plaintiff must sign the Final Decree
    - □ Defendant must sign the Final Decree if service was by Acceptance/Waiver.

CHAPTER 8
SAMPLE DOCUMENTS

DISCLAIMER.

These documents are not intended to address any or all issues relating to your particular circumstances or to offer legal advice regarding your individual claims or causes of action. The information set forth in these documents may or may not apply to your case and will need to be changed to reflect the specific facts and circumstances of your case. These forms are NOT intended to provide legal advice regarding any rights or obligations you may have under Virginia law and should NOT be relied upon as such. To the extent these forms refer to provisions of the Code of Virginia, it is NOT, nor is it meant to be, an exhaustive listing of all sections of the Code of Virginia that apply to your case. Use of these sample documents will not guarantee that the Court will grant your request for a divorce. Failure to consult with a competent attorney before filing and/or obtaining a divorce may result in your waiving important rights or not receiving benefits to which you may otherwise by entitled to legally.

Sample document 1 ACCEPTANCE/WAIVER FORM CC-1406

Use this sample to determine what the form looks like and what questions are answered.
Do not print this page.
Download the form from the internet (search for "Virginia Form CC-1406")

NOTARY REQUIRED.

Defendant must sign this form in front of a Notary Public (after checking the appropriate boxes).
Defendant's signature and all of the notary's information must be on the same page.

ACCEPTANCE/WAIVER OF SERVICE OF PROCESS AND WAIVER OF FUTURE SERVICE OF PROCESS AND NOTICE

Case No. .....

COMMONWEALTH OF VIRGINIA VA. CODE §§ 8.01-327; 20-99.1:1; Rules 3:5, 3:8

..... Circuit Court

..... v. .....
PLAINTIFF DEFENDANT

I, the undersigned party named below, swear under oath/affirm the following:

1. I am a party [ ] plaintiff [ ] defendant in the above-styled suit.
2. I have received a copy of the following documents on this date:

[ ] Complaint
[ ] filed on ..... DATE, attached
[ ] pre-filing copy pursuant to Va. Code § 20-99.1:1(A), attached

[ ] Summons with copy of Complaint filed on ..... DATE, attached

[ ] Other – Describe: ..... filed on ..... DATE

I understand that my receipt of these copies and my signature below constitute
[ ] the acceptance of service of process of these copies, or
[ ] a waiver of service of process and notice which may be prescribed by law.

3. I agree to voluntarily and freely waive any future service of process and notice as checked below in this case:

[ ] a. the 21-day time period for filing a responsive pleading.
[ ] b. any further service of process.
[ ] c. notice of the appointment of a commissioner in chancery and hearings held by such commissioner in chancery, if a commissioner in chancery is appointed.
[ ] d. notice of the taking of depositions.
[ ] e. notice of the filing of any reports by a commissioner in chancery of the filing of depositions.
[ ] f. notice of testimony to be given orally in open court.
[ ] g. notice of entry of any order, judgment or decree, including the final decree of divorce.

I understand that, by waiving service of process and notice, I am giving up my right to be notified of the events where indicated above.

..... DATE

..... [ ] DEFENDANT [ ] PLAINTIFF

TO DEFENDANT: Notify the Court in writing of any changes of your address while this case is pending.

State/Commonwealth of ....., [ ] City [ ] County of .....

Subscribed and sworn to/affirmed before me this ..... day of ....., 20 .....

by .....
PRINT NAME OF AFFIANT

..... DATE

..... [ ] CLERK [ ] DEPUTY CLERK
[ ] NOTARY PUBLIC (My commission expires .....)
Registration No. .....

FORM CC-1406 MASTER 07/19

SAMPLE

Sample document 2 ADDENDUM FOR PROTECTED IDENTIFYING INFORMATION - CONFIDENTIAL
Do not print this page. Instead, obtain the form from the Clerk's office or the internet (search "CC-1426")

ADDENDUM FOR PROTECTED IDENTIFYING INFORMATION— CONFIDENTIAL
Commonwealth of Virginia

Case No. .....

In the Circuit Court of the [ ] City [ ] County of .....

..... v. .....

This addendum is filed with and incorporated by reference in the document(s) indicated below, from which the protected identifying information contained herein has been removed by the attorney or party whose signature appears below. This addendum shall be used to distribute such information only as required by law, and may be made available only to the parties, to their attorneys, and to other person(s) as the court may allow.

[ ] Complaint [ ] Petition [ ] Motion [ ] Order [ ] Decree [ ] Other Pleading: .....

[ ] Agreement(s) of the Parties [ ] Transcripts [ ] Other: .....

PARTY NAME (LAST, FIRST, MIDDLE)	PARTY NAME (LAST, FIRST, MIDDLE)
ADDRESS	ADDRESS
SOCIAL SECURITY NUMBER / DATE OF BIRTH	SOCIAL SECURITY NUMBER / DATE OF BIRTH

NAME OF ASSET, LIABILITY, ACCOUNT, CREDIT CARD	IDENTIFYING ACCOUNT NO.	NAME OF ASSET, LIABILITY, ACCOUNT, CREDIT CARD	IDENTIFYING ACCOUNT NO.

CHILD NAME (LAST, FIRST, MIDDLE)	SOCIAL SECURITY NUMBER	DATE OF BIRTH
CHILD NAME (LAST, FIRST, MIDDLE)	SOCIAL SECURITY NUMBER	DATE OF BIRTH

Attach additional sheet(s) for other information, as needed.

DATE _____ [ ] PARTY [ ] ATTORNEY

PRINT NAME ADDRESS /TELEPHONE NUMBER OF SUBSCRIBER

FORM CC-1426 MASTER 5/08

Sample document 3 **AFFIDAVIT FOR SERVICE BY PUBLICATION**
NOTARY REQUIRED.
Plaintiff must sign this document in front of Notary Public
Plaintiff's signature and all of the notary's information must be on the same page.

V I R G I N I A

IN THE CIRCUIT COURT OF THE CITY OF ALEXANDRIA

_____ (Plaintiff's Name)

vs. DOCKET NO. CL_____

_____ (Defendant's Name)

AFFIDAVIT FOR SERVICE BY PUBLICATION

Comes now _____ *(Plaintiff's name),* being duly sworn, deposes and says:

1. _____ *(Plaintiff's name)* is the Plaintiff in the above styled divorce suit.

2. _____ *(Defendant's name)* is the Defendant in the above styled divorce suit.

DEFENDANT'S LAST KNOWN ADDRESS - Paragraph 3 instructions.
List the Defendant's last known residential mailing address (street address, city, state and zip code)
**** or****
Type "UNKNOWN".

3. Defendant's last known mailing address is as follows: _____

4. The Defendant's present whereabouts are unknown.

5. The Plaintiff has used due diligence without effect to attempt to ascertain the location of the Defendant.

_____ (Plaintiff's signature)
Plaintiff, *pro se* *(must be signed in front of a Notary Public)*
_____ *(Plaintiff's street address)*

COMMONWEALTH OF VIRGINIA

_____ *(City or County),* to wit:

Subscribed and sworn to/affirmed before me this _____ day of _____, 20____
by _____ *(Plaintiff's name).*

_____
Notary Public

Registration Number: _____
My Commission Expires: _____

Sample document 4 **AFFIDAVIT FOR WAIVER OF RIGHTS**
NOTARY REQUIRED. **UNDER THE SERVICEMEMBERS CIVIL RELIEF ACT**
Defendant must sign this document in front of a Notary Public.
Defendant's signature and all of the notary's information must be on the same page.

VIRGINIA

IN THE CIRCUIT COURT OF THE CITY OF ALEXANDRIA

_____ *(Plaintiff's name)*

vs. DOCKET NO. CL_____

_____ *(Defendant's name)*

WAIVER OF RIGHTS UNDER THE SERVICEMEMBERS CIVIL RELIEF ACT

I, _____ *(Defendant's name),* swear under oath/affirm that the following statements are true and correct:

1. I am the Defendant in this divorce case, currently pending in the Circuit Court of the City of Alexandria and I am a member of the United States Armed Forces.

2. I have received a copy of the Complaint in this matter, filed on ___ *(date that the Complaint for Divorce was filed in the Clerk's office).*

3. I waive my right to protections afforded to me by the Servicemembers Civil Relief Act, including, but not limited to the right to delay or set aside the judgment if I am on active duty.

4. **I UNDERSTAND THAT I AM PERMITTED TO RETAIN OR CONSULT AN ATTORNEY OF MY CHOICE TO REPRESENT MYSELF, BUT I CHOOSE NOT TO DO SO IN THIS MATTER.**

5. **I UNDERSTAND THAT I SHOULD NOTIFY THE COURT IN WRITING IF I CHANGE MY ADDRESS WHILE THIS CASE IS PENDING.**

_____ *(Defendant's signature)*
Defendant, *pro se* *(must be signed in front of a Notary Public)*

_____ *(Defendant's street address)*
_____ *(Defendant's city, state and zip code*

COMMONWEALTH OF VIRGINIA

_____ *(City or County),* to wit:

Subscribed and sworn to/affirmed before me this _____ day of _____, 20____

by _____ *(Defendant's name).*

_____
Notary Public

Registration Number: _____

My Commission Expires: _____

Sample document 5 **AFFIDAVIT OF PLAINTIFF IN SUPPORT OF DIVORCE**
NOTARY REQUIRED.
Plaintiff must sign this document in front of Notary Public.
Plaintiff's signature and all of the notary's information must be on the same page

---

VIRGINIA

IN THE CIRCUIT COURT OF THE CITY OF ALEXANDRIA

_____ *(Plaintiff's name)*

vs. DOCKET NO. CL_____

_____ *(Defendant's name)*

AFFIDAVIT OF PLAINTIFF IN SUPPORT OF DIVORCE
PURSUANT TO VIRGINIA CODE SECTION 20-106
FINAL DECREE OF DIVORCE

ON THIS DAY, _____*(Plaintiff's name)*, personally appeared before the Undersigned Notary Public and, after having been first duly sworn according to law, under penalty of perjury, affirms, pursuant to Section 20-106 of the 1950 Code of Virginia, as amended, that _____ *(he or she)* is over eighteen (18) years of age, competent to testify to the contents of this affidavit, and that the following facts are true and correct based on personal knowledge:

1. My name is _____*(Plaintiff's name).* My address is _____ *(Plaintiff's street address, City, State, and zip code).*

COMPLAINT FOR DIVORCE must be attached to this Affidavit – Paragraph 2 instructions.

2. I am the Plaintiff in the above captioned case, and I affirm all of the allegations of the Complaint, a copy of which is attached hereto.

3. I am married to the Defendant.

4. Neither I, nor my spouse ("the Defendant"), is currently incarcerated.

5. The Defendant and I are both over eighteen (18) years of age.

6. The Defendant and I are each of sound mind and free from any condition that renders either of us legally incompetent.

RESIDENT AND DOMICILIARY – Paragraph 7 instructions.
Include only one of the following 3 options.

7. I was at the time of the filing of the suit and had been for at least six months preceding the filing of the suit an actual bona fide resident and domiciliary of the Commonwealth of Virginia;

-or-

7. The Defendant was at the time of the filing of the suit and had been for at least six months preceding the filing of the suit an actual bona fide resident and domiciliary of the Commonwealth of Virginia;

-or-

7. Both I and the Defendant were at the time of filing the suit and had been for at least six months preceding the filing of the suit actual bona fide residents and domiciliaries of the Commonwealth of Virginia;

MINOR CHILDREN - Paragraph 8 instructions. Choose only one of the following 2 options.
Minor children are those children under the age of 18 who are born or adopted of the marriage.

8. There is *(are)* _____ *(number of)* minor child/children born of adopted of the marriage.

Namely: _____ born on _____ *(date of birth)*; and

_____ born on _____ *(date of birth)*

-or-

8. There are no minor children born or adopted of the marriage.

PREGNANCY STATEMENT – Paragraph 9 instructions. This statement must be included in all Final Decree documents. All Affidavits without this Pregnancy Statement will be rejected.

9. Neither I, nor the Defendant, is pregnant from the marriage.

ACTIVE DUTY MILITARY STATUS – Paragraph 10 instructions.
Choose only one of the following 3 options.

10. Neither party is an active-duty member of the United States Armed Forces;

-or-

10. Defendant is an active-duty member of the United States Armed Forces and has signed a Waiver of the Servicemembers Civil Relief Act. Plaintiff is not an active-duty member of the United States Armed Forces.

-or-

10. Plaintiff is an active-duty member of the United States Armed Forces. Defendant is not a member of the United States Armed Forces.

11. The Defendant and I separated on _____ *(date of separation)*, and have lived separate and apart, continuously, without interruption and without cohabitation in excess of the statutory period required by Section 20-91(A)(9) of the 1950 Code of Virginia, as amended.

12. At the time of separation on _____*(date of separation)*, it was the intention of at least one party to live separate and apart on a permanent basis and that intention has continued to the present date.

13. There is no hope or possibility of reconciliation.

IF PARTIES ARE LIVING SEPARATE AND APART UNDER THE SAME ROOF – Paragraph 14 instructions.
(1) This paragraph is to be included only if the Parties have separated and are living separate and apart under the same roof.
(2) Otherwise delete this paragraph and renumber the remaining paragraphs.

14. I hereby aver and affirm that the Defendant and I separated on _____*(date of separation)*, and we have remained living separate and apart.

(1) We have not shared the same bedroom;

(2) _____*(name of Plaintiff or Defendant)* moved to a different portion of the house;

(3) We have not had sexual relations;

(4) We have not had meals together;

(5) We have each done our own laundry;

(6) We have not purchased groceries together;

(7) I have told others that my spouse _____*(Defendant's name)* and I have separated;

(8) We have not attended family functions together or celebrated holidays together; and

(9) We have lived separate lives.

15. I request that the Court grant me a divorce pursuant to Section 20-91(A)(9) of the 1950 Code of Virginia, as amended, based upon having lived separate and apart without interruption and without any cohabitation in excess of the statutory period required by Section 20-91(A)(9) of the 1950 Code of Virginia, as amended.

PROPERTY SETTLEMENT AGREEMENT – Paragraphs 16 through 19 instructions.
(1) Include these paragraphs only if the parties have a written Property Settlement Agreement signed by both parties and there are no further issues for the Court to determine. Also, attach the Property Settlement Agreement as Exhibit 1.
(2) The date the agreement was entered into is the latest or most recent date that the Property Settlement Agreement was signed by both parties.
(3) Otherwise, delete Paragraphs 16, 17, 18, and 19.

16. The Defendant and I entered into an Agreement dated _____*(the date that the Property Settlement Agreement was signed).*

17. I recognize and identify the document filed herein and attached as Exhibit 1 as that Agreement.

18. The Agreement contains my signature and the Defendant's signature. The Agreement resolves all issues arising out of our marriage.

19. I request the Court affirm, ratify and incorporate, but not merge, the Agreement into the Final Decree of Divorce.

I, _____*(Plaintiff's Name),* do hereby swear or affirm that my answers given above are true and accurate to the best of my knowledge.

_____ *(Plaintiff's signature)*
Plaintiff, *pro se* *(must be signed in front of a Notary Public)*

_____ *(Plaintiff's street address)*
_____ *(Plaintiff's city, state and zip code*

COMMONWEALTH OF VIRGINIA

_____ *(City or County),* to wit:

Subscribed and sworn to/affirmed before me this _____ day of _____, 20____

by _____ *((Plaintiff's name).*

_____
Notary Public

Registration Number: _____

My Commission Expires: _____

Instructions **AMENDED COMPLAINT FOR DIVORCE**

3 documents are required to be filed.

---

1. **AMENDED COMPLAINT FOR DIVORCE IS NECESSARY**
   - A. Required if the original Complaint for Divorce had errors or did not include mandatory information.
   - B. Email from Judicial Law Clerk (staff attorney) to the Plaintiff if an amended complaint must be filed.

2. **IF ADDITIONAL ASSISTANCE IS NEEDED – YOU MUST HIRE AN ATTORNEY**
   - A. Court personnel are prohibited by state law from providing legal advice or assistance on how to complete documents.
   - B. Limited instructions only by a Judicial Law Clerk (Staff Attorney).
   - C. Consult an attorney if you cannot understand the Judicial Law Clerk (Staff Attorney)'s instructions (refer to Chapter 1).

3. **PLAINTIFF – INSTRUCTIONS for Amended Complaint for Divorce, Motion to Amend and Order to Amend**
   - A. PREPARE THE FOLLOWING DOCUMENTS
     - (1) Amended Complaint
     - (2) Motion to Amend Complaint for Divorce
     - (3) Leave to Amend Order
   - B. The documents must be typed and not hand-written on 8.5" x 11" paper size with 1 inch margin. Single (not double) sided; and double (not single) spaced.
   - C. SIGN THE DOCUMENTS.
   - D. COPY THE DOCUMENTS. Make 3 copies of the documents (one for you; one for the Defendant; and a copy for the 4th floor drop box (mandatory).
   - E. FILE THE DOCUMENTS in the Clerk's office **520 King Street Room 307 703.746.4044**
   - F. DATE STAMP COPIES. Ask the Clerk to date-stamp the copies (to indicate the date and time the documents were filed)
   - **G. (mandatory) Deliver a copy of the documents to the 4th floor drop box**
   - H. Serve the Amended Complaint for Divorce on the Defendant if applicable.

VIRGINIA

IN THE CIRCUIT COURT OF THE CITY OF ALEXANDRIA

_____ *(Plaintiff's name)* DOCKET NO. CL_____

vs.

_____ *(Defendant's name)*

MOTION TO AMEND COMPLAINT FOR DIVORCE

COMES NOW, Plaintiff and requests that this Court grant leave to amend the complaint. Plaintiff seeks leave to amend the complaint because _____ *[include the reason the Complaint for Divorce must be amended]*.

The Plaintiff has filed the proposed Amended Complaint with the Court. Pursuant to Virginia Supreme Court Rule 1:8, leave to amend should be liberally granted, and no parties are prejudiced by the amendment.

WHEREFORE, Plaintiff prays that this Court grant _____ *(him or her)* leave to amend the Complaint for Divorce to correct this error.

I ASK FOR THIS:

_____ *(Plaintiff's signature required)*

Plaintiff, *pro se*

(Plaintiff's street address)
(Plaintiff's City, State and Zip Code)
(Plaintiff's telephone number)
(Plaintiff's email address)

VIRGINIA

IN THE CIRCUIT COURT OF THE CITY OF ALEXANDRIA

_____ *(Plaintiff's name)* DOCKET NO. CL_____

vs.
_____ *(Defendant's name)*

LEAVE TO AMEND ORDER

This cause came on this day upon Plaintiff's motion to amend the Complaint;

IT APPEARING that _____ *[include the reason the Complaint for Divorce must be amended].*

AND IT FURTHER APPEARING that parties are not prejudiced by this amendment and Rule 1:8 states leave to amend shall be liberally granted. It is therefore

ADJUDGED, ORDERED, and DECREED that Plaintiff's motion to amend is GRANTED;

and the Amended Complaint filed herein is deemed filed as of the date of this Order.

ENTERED this _____ day of _____, 20____.

_____

JUDGE

I ASK FOR THIS:

_____ *(Plaintiff's signature required)*

Plaintiff, *pro se*

(Plaintiff's street address)
(Plaintiff's City, State and Zip Code)
(Plaintiff's telephone number)
(Plaintiff's email address)

_____ *(Defendant's signature may be required)*

Defendant, *pro se*

(Defendant's street address)
(Defendant's City, State and Zip Code)
(Defendant's telephone number)
(Defendant's email address)

Sample document 8 **COMPLAINT FOR DIVORCE**

(a) 6 month separation period has passed
(b) No minor children born or adopted of the marriage
(c) With Property Settlement Agreement signed by both spouses

VIRGINIA

IN THE CIRCUIT COURT OF THE CITY OF ALEXANDRIA

_____ *(Plaintiff's name)*
_____ *(Plaintiff's address)*
_____ *(Plaintiff's City, State and Zip Code)*
_____ *(Plaintiff's telephone number)*
_____ *(Plaintiff's email address)*

vs. DOCKET NO. CL_____

_____ *(Defendant's name)*
_____ *(Defendant's address)*
_____ *(Defendant's City, State and Zip Code)*
_____ *(Defendant's telephone number)*
_____ *(Defendant's email address)*

COMPLAINT FOR DIVORCE

TO THE HONORABLE JUDGES OF SAID COURT:

COMES NOW your Plaintiff and for _____*(his or her)* Complaint, respectfully represents as follows:

1. Plaintiff and Defendant were legally married to each other on _____*(date of marriage*) in _____ *(where the marriage occurred: City and State if in the United States; Name of Country if outside the United States*);

2. There were no minor children born of adopted of this marriage;

3. That the parties hereto are over the age of eighteen (18) years;

ACTIVE DUTY MILITARY STATUS: Paragraph 4 instructions.
Select and include 1 of the following 4 options.

4. That Plaintiff is an active-duty member of the Armed Forces of the United States and Defendant is not an active-duty member of the Armed Forces of the United States;

**** or ******

4. That Defendant is an active-duty member of the Armed Forces of the United States and Plaintiff is not an active-duty member of the Armed Forces of the United States;

**** or ******

4. That both Plaintiff and Defendant are active-duty members of the Armed Forces of the United States;

**** or ******

4. That neither Plaintiff nor Defendant are active-duty members of the Armed Forces of the United States;

RESIDENCY REQUIREMENT INFORMATION: Paragraph 5 instructions.
Select and include 1 of the following 3 options.

5. That Plaintiff is an actual bona fide resident and domiciliary of the Commonwealth of Virginia, and has been such for more than six months immediately preceding the institution of this suit;

**** or ******

5. That Defendant is an actual bona fide resident and domiciliary of the Commonwealth of Virginia, and has been such for more than six months immediately preceding the institution of this suit;

**** or ******

5. That both Plaintiff and Defendant are actual bona fide residents and domiciliaries of the Commonwealth of Virginia, and have been such for more than six months immediately preceding the institution of this suit;

6. That the parties hereto separated on _____ *(date of separation*) and have lived separate and apart without any cohabitation and without interruption to the present date; that it was the intention of one of the parties that the separation be permanent for at least **SIX (6) MONTHS** prior to the filing of the Complaint; that there is no probability of reconciliation between the parties; and

7. That the parties entered into a Property Settlement Agreement on _____ *(the latest or most recent date that the Property Settlement Agreement was signed by both parties)* which decides all property and support issues between the parties and there are no further issues for the Court to determine.

WHEREFORE, your Plaintiff prays as follows:

1. That the Plaintiff may be awarded a divorce a vinculo matrimonii from the Defendant on the ground of having lived separate and apart without any cohabitation and without interruption, for a period of SIX (6) MONTHS;

2. That the Property Settlement Agreement entered into between the parties dated _____*(the latest or most recent date that the Property Settlement Agreement was signed by both parties)* be affirmed, ratified and incorporated (but not merged) into the Fina Decree of Divorce to the extent permitted under Section 20-109.1 of the 1950 Code of Virginia, as amended, and that the parties may be ordered to comply with its terms; and further

NAME CHANGE REQUEST: Paragraph 3 instructions.
Include Paragraph only if either party is requesting restoration of their name to their former name.
Otherwise, delete this paragraph.

3. That _____*(Plaintiff or Defendant)*'s _____*(maiden or former)* name be restored to _____ *(type the former or maiden name of the Plaintiff or the Defendant)*.

4. That Plaintiff may have such other and further relief as the nature of the case may require.

Respectfully submitted,

_____*(Plaintiff's signature required)*
Plaintiff, *pro se*

(Plaintiff's street address)
(Plaintiff's City, State and Zip Code)
(Plaintiff's telephone number)
(Plaintiff's email address)

Sample document 9 COMPLAINT FOR DIVORCE

(a) 1 year separation period has passed
(b) No minor children born or adopted of the marriage
(c) With or without Property Settlement Agreement signed by both spouses

VIRGINIA

IN THE CIRCUIT COURT OF THE CITY OF ALEXANDRIA

_____ *(Plaintiff's name)*
_____ *(Plaintiff's address)*
_____ *(Plaintiff's City, State and Zip Code)*
_____ *(Plaintiff's telephone number)*
_____ *(Plaintiff's email address)*

vs. DOCKET NO. CL_____

_____ *(Defendant's name)*
_____ *(Defendant's address)*
_____ *(Defendant's City, State and Zip Code)*
_____ *(Defendant's telephone number)*
_____ *(Defendant's email address)*

COMPLAINT FOR DIVORCE

TO THE HONORABLE JUDGES OF SAID COURT:

COMES NOW your Plaintiff, and for _____ *(his or her)* Complaint, respectfully represents as follows:

1. Plaintiff and Defendant were legally married to each other on _____*(date of marriage*) in _____ *(where the marriage occurred: City and State if in the United States; Name of Country if outside the United States*);

2. There were no minor children born of adopted of this marriage;

3. That the parties hereto are over the age of eighteen (18) years;

ACTIVE DUTY MILITARY STATUS: Paragraph 4 instructions.
Select and include 1 of the following 4 options.

4. That Plaintiff is an active-duty member of the Armed Forces of the United States and Defendant is not an active-duty member of the Armed Forces of the United States;

**** or ******

4. That Defendant is an active-duty member of the Armed Forces of the United States and Plaintiff is not an active-duty member of the Armed Forces of the United States;

**** or ******

4. That both Plaintiff and Defendant are active-duty members of the Armed Forces of the United States;

**** or ******

4. That neither Plaintiff nor Defendant are active-duty members of the Armed Forces of the United States;

RESIDENCY REQUIREMENT INFORMATION: Paragraph 5 instructions.
Select and include 1 of the following 3 options.

5. That Plaintiff is an actual bona fide resident and domiciliary of the Commonwealth of Virginia, and has been such for more than six months immediately preceding the institution of this suit;

**** or ******

5. That Defendant is an actual bona fide resident and domiciliary of the Commonwealth of Virginia, and has been such for more than six months immediately preceding the institution of this suit;

**** or ******

5. That both Plaintiff and Defendant are actual bona fide residents and domiciliaries of the Commonwealth of Virginia, and have been such for more than six months immediately preceding the institution of this suit;

6. That the parties hereto separated on _____*(date of separation)* and have live separate and apart without any cohabitation and without interruption to the present date; that it was the intention of one of the parties that the separation be permanent for at least **ONE YEAR** prior to the filing of the Complaint; that there is no probability of reconciliation between the parties; and

PROPERTY SETTLEMENT AGREEMENT: Paragraph 7 instructions.
Include Paragraph 7 if the parties have a PSA signed by both parties and the PSA has been filed in Room 307.

7. That the parties entered into a Property Settlement Agreement on _____ *(the latest or most recent date that the Property Settlement Agreement was signed by both parties)* which decides all property and support issues between the parties and there are no further issues for the Court to determine.

WHEREFORE, your Plaintiff prays as follows:

1. That the Plaintiff may be awarded a divorce a vinculo matrimonii from the Defendant on the ground of having lived separate and apart without any cohabitation and without interruption, for a period of **ONE YEAR**.

PROPERTY SETTLEMENT AGREEMENT: Paragraph 2 instructions.
Include Paragraph 7 if the parties have a PSA signed by both parties and the PSA has been filed in Room 307.

2. That the Property Settlement Agreement entered into between the parties dated *(the latest or most recent date that the Property Settlement Agreement was signed by both parties)* be affirmed, ratified and incorporated (but not merged) into the Final Decree of Divorce to the extent permitted under Section 20-109.1 of the 1950 Code of Virginia, as amended, and that the parties may be ordered to comply with its terms; and further

NAME CHANGE REQUEST. Paragraph 3 instructions.
Include Paragraph 2 only if either party is requesting restoration of their name to their former name.

3. That _____ *(Plaintiff or Defendant)*_____ *(Name of Plaintiff or Defendant)*'s _____ *(former or maiden)* name be restored to _____ *(former or maiden name of the Plaintiff or Defendant).*

4. That Plaintiff may have such other and further relief as the nature of the case may require.

Respectfully submitted,

_____*(Plaintiff's signature required)*
Plaintiff, *pro se*

(Plaintiff's street address)
(Plaintiff's City, State and Zip Code)
(Plaintiff's telephone number)
(Plaintiff's email address)

Sample document 10 **COMPLAINT FOR DIVORCE**

(a) 1 year separation period has passed
(b) With minor children born or adopted of the marriage
(c) With or without Property Settlement Agreement signed by both spouses

VIRGINIA

IN THE CIRCUIT COURT OF THE CITY OF ALEXANDRIA

_____ *(Plaintiff's name)*
_____ *(Plaintiff's address)*
_____ *(Plaintiff's City, State and Zip Code)*
_____ *(Plaintiff's telephone number)*
_____ *(Plaintiff's email address)*

vs. DOCKET NO. CL_____

_____ *(Defendant's name)*
_____ *(Defendant's address)*
_____ *(Defendant's City, State and Zip Code)*
_____ *(Defendant's telephone number)*
_____ *(Defendant's email address)*

COMPLAINT FOR DIVORCE

TO THE HONORABLE JUDGES OF SAID COURT:

COMES NOW your Plaintiff, and for ___ *(his or her)* Complaint, respectfully represents as follows:

1. Plaintiff and Defendant were legally married to each other on ____*(date of marriage*) in _____ *(where the marriage occurred: City and State if in the United States; Name of Country if outside the United States*);

MINOR CHILDREN'S INFORMATION - Paragraph 2 instructions.
Include the number of minor children born or adopted of the marriage.
Include the name and date of birth for each minor child (if any).

2. There were ____*(number of minor children)* minor children born or adopted of this marriage.

The minor children's names are _____ *(minor child's name)*, born _____*(minor child's date of birth)*,

_____ *(minor child's name)*, born _____*(minor child's date of birth)*,

3. That the parties hereto are over the age of eighteen (18) years;

ACTIVE DUTY MILITARY STATUS: Paragraph 4 instructions.
Select and include 1 of the following 4 options.

4. That Plaintiff is an active-duty member of the Armed Forces of the United States and Defendant is not an active-duty member of the Armed Forces of the United States;

**** or ******

4. That Defendant is an active-duty member of the Armed Forces of the United States and Plaintiff is not an active-duty member of the Armed Forces of the United States;

**** or ******

4. That both Plaintiff and Defendant are active-duty members of the Armed Forces of the United States;

**** or ******

4. That neither Plaintiff nor Defendant are active-duty members of the Armed Forces of the United States;

RESIDENCY REQUIREMENT INFORMATION: Paragraph 5 instructions.
Select and include 1 of the following 3 options.

5. That Plaintiff is an actual bona fide resident and domiciliary of the Commonwealth of Virginia, and has been such for more than six months immediately preceding the institution of this suit;

**** or ******

5. That Defendant is an actual bona fide resident and domiciliary of the Commonwealth of Virginia, and has been such for more than six months immediately preceding the institution of this suit;

**** or ******

5. That both Plaintiff and Defendant are actual bona fide residents and domiciliaries of the Commonwealth of Virginia, and have been such for more than six months immediately preceding the institution of this suit;

6. That the parties hereto separated on _____*(date of separation)* and have live separate and apart without any cohabitation and without interruption to the present date; that it was the intention of one of the parties that the separation be permanent for at least **ONE YEAR** prior to the filing of the Complaint; that there is no probability of reconciliation between the parties; and

PROPERTY SETTLEMENT AGREEMENT: Paragraph 7 instructions.
Include Paragraph 7 if the parties have a PSA signed by both parties and the PSA has been filed in Room 307.

7. That the parties entered into a Property Settlement Agreement on _____ *(the latest or most recent date that the Property Settlement Agreement was signed by both parties)* which decides all property and support issues between the parties and there are no further issues for the Court to determine.

WHEREFORE, your Plaintiff prays as follows:

1. That the Plaintiff may be awarded a divorce a vinculo matrimonii from the Defendant on the ground of having lived separate and apart without any cohabitation and without interruption, for a period of **ONE YEAR**.

PROPERTY SETTLEMENT AGREEMENT: Paragraph 2 instructions.
Include Paragraph 2 if the parties have a PSA signed by both parties and the PSA has been filed in Room 307.

2. That the Property Settlement Agreement entered into between the parties dated ____*(the latest or most recent date that the Property Settlement Agreement was signed by both parties)* be affirmed, ratified and incorporated (but not merged) into the Final Decree of Divorce to the extent permitted under Section 20-109.1 of the 1950 Code of Virginia, as amended, and that the parties may be ordered to comply with its terms; and further

NAME CHANGE REQUEST. Paragraph 3 instructions.
Include Paragraph 2 if either spouse (Plaintiff or Defendant) who previously changed their name pursuant to the marriage is requesting that their former name or maiden name be restored.

3. That _____ *(Plaintiff or Defendant)*_____ *(Name of Plaintiff or Defendant)*'s _____ *(former or maiden)* name be restored to _____

(former or maiden name of the Plaintiff or Defendant).

4. That Plaintiff may have such other and further relief as the nature of the case may require.

Respectfully submitted,

_____*(Plaintiff's signature required)*
Plaintiff, *pro se*

(Plaintiff's street address)
(Plaintiff's City, State and Zip Code)
(Plaintiff's telephone number)
(Plaintiff's email address)

Sample document 11 **COVER SHEET FOR FILING CIVIL ACTIONS**

Do not print this page. Obtain the form from the Clerk's office (Room 307).

COVER SHEET FOR FILING CIVIL ACTIONS

COMMONWEALTH OF VIRGINIA

Case No. _____ (CLERK'S OFFICE USE ONLY)

_____ Circuit Court

_____ v./*In re:* _____

PLAINTIFF(S) DEFENDANT(S)

I, the undersigned [ ] plaintiff [ ] defendant [ ] attorney for [ ] plaintiff [ ] defendant hereby notify the Clerk of Court that I am filing the following civil action. (Please indicate by checking box that most closely identifies the claim being asserted or relief sought.)

GENERAL CIVIL

Subsequent Actions

- [ ] Claim Impleading Third Party Defendant
  - [ ] Monetary Damages
  - [ ] No Monetary Damages
- [ ] Counterclaim
  - [ ] Monetary Damages
  - [ ] No Monetary Damages
- [ ] Cross Claim
- [ ] Interpleader
- [ ] Reinstatement (other than divorce or driving privileges)
- [ ] Removal of Case to Federal Court

Business & Contract

- [ ] Attachment
- [ ] Confessed Judgment
- [ ] Contract Action
- [ ] Contract Specific Performance
- [ ] Detinue
- [ ] Garnishment

Property

- [ ] Annexation
- [ ] Condemnation
- [ ] Ejectment
- [ ] Encumber/Sell Real Estate
- [ ] Enforce Vendor's Lien
- [ ] Escheatment
- [ ] Establish Boundaries
- [ ] Landlord/Tenant
  - [ ] Unlawful Detainer
- [ ] Mechanics Lien
- [ ] Partition
- [ ] Quiet Title
- [ ] Termination of Mineral Rights

Tort

- [ ] Asbestos Litigation
- [ ] Compromise Settlement
- [ ] Intentional Tort
- [ ] Medical Malpractice
- [ ] Motor Vehicle Tort
- [ ] Product Liability
- [ ] Wrongful Death
- [ ] Other General Tort Liability

ADMINISTRATIVE LAW

- [ ] Appeal/Judicial Review of Decision of (select one)
  - [ ] ABC Board
  - [ ] Board of Zoning
  - [ ] Compensation Board
  - [ ] DMV License Suspension
  - [ ] Employee Grievance Decision
  - [ ] Employment Commission
  - [ ] Local Government
  - [ ] Marine Resources Commission
  - [ ] School Board
  - [ ] Voter Registration
  - [ ] Other Administrative Appeal

DOMESTIC/FAMILY

- [ ] Adoption
  - [ ] Adoption – Foreign
- [ ] Adult Protection
- [ ] Annulment
  - [ ] Annulment – Counterclaim/Responsive Pleading
- [ ] Child Abuse and Neglect – Unfounded Complaint
- [ ] Civil Contempt
- [ ] Divorce (select one)
  - [ ] Complaint – Contested*
  - [ ] Complaint – Uncontested*
  - [ ] Counterclaim/Responsive Pleading
  - [ ] Reinstatement – Custody/Visitation/Support/Equitable Distribution
- [ ] Separate Maintenance
  - [ ] Separate Maintenance Counterclaim

WRITS

- [ ] Certiorari
- [ ] Habeas Corpus
- [ ] Mandamus
- [ ] Prohibition
- [ ] Quo Warranto

PROBATE/WILLS AND TRUSTS

- [ ] Accounting
- [ ] Aid and Guidance
- [ ] Appointment (select one)
  - [ ] Guardian/Conservator
  - [ ] Standby Guardian/Conservator
  - [ ] Custodian/Successor Custodian (UTMA)
- [ ] Trust (select one)
  - [ ] Impress/Declare/Create
  - [ ] Reformation
- [ ] Will (select one)
  - [ ] Construe
  - [ ] Contested

MISCELLANEOUS

- [ ] Amend Birth/Death Certificate
- [ ] Appointment (select one)
  - [ ] Church Trustee
  - [ ] Conservator of Peace
  - [ ] Marriage Celebrant
- [ ] Approval of Transfer of Structured Settlement
- [ ] Bond Forfeiture Appeal
- [ ] Declaratory Judgment
- [ ] Declare Death
- [ ] Driving Privileges (select one)
  - [ ] Reinstatement pursuant to § 46.2-427
  - [ ] Restoration – Habitual Offender or 3rd Offense
- [ ] Expungement
- [ ] Firearms Rights – Restoration
- [ ] Forfeiture of Property or Money
- [ ] Freedom of Information
- [ ] Injunction
- [ ] Interdiction
- [ ] Interrogatory
- [ ] Judgment Lien-Bill to Enforce
- [ ] Law Enforcement/Public Official Petition
- [ ] Name Change
- [ ] Referendum Elections
- [ ] Sever Order
- [ ] Taxes (select one)
  - [ ] Correct Erroneous State/Local
  - [ ] Delinquent
- [ ] Vehicle Confiscation
- [ ] Voting Rights – Restoration
- [ ] Other (please specify)

[ ] Damages in the amount of $ _____ are claimed.

_____

DATE

[ ] PLAINTIFF [ ] DEFENDANT [ ] ATTORNEY FOR [ ] PLAINTIFF [ ] DEFENDANT

_____

PRINT NAME

_____

ADDRESS/TELEPHONE NUMBER OF SIGNATOR

_____

_____

EMAIL ADDRESS OF SIGNATOR (OPTIONAL)

*"Contested" divorce means any of the following matters are in dispute: grounds of divorce, spousal support and maintenance, child custody and/or visitation, child support, property distribution or debt allocation. An "Uncontested" divorce is filed on no fault grounds and none of the above issues are in dispute.

FORM CC-1416 (MASTER) PAGE ONE 02/23

1. **FINAL DECREE**
   - A. Order that grants the Divorce is the "Final Decree".
   - B. Prepared and signed by the Plaintiff (the signature on a Final Decree should not be notarized).
     - (1) DEFENDANT'S SIGNATURE REQUIRED if service is by Acceptance/Waiver.
   - C. DOCUMENT FORMAT. The Final Decree must be typed and not hand-written.
     - (1) 8.5" x 11" paper size
     - (2) 1 inch margin
     - (3) Single-sided (not double-sided)
     - (4) Double-spaced

2. **BENEFICIARY LANGUAGE**
   - A. MANDATORY BENEFICIARY LANGUAGE must be included on all Final Decrees pursuant to Virginia Code § 20-111.1(E).
   - B. The beneficiary language is required to be in **bold type.**
     - (1) The beneficiary language is one of the last paragraphs in the Final Decree. It must come after the divorce is "ORDERED".
     - **(2) Example: This sentence is in bold type.**
   - C. Any final decree without the beneficiary language in bold font will be rejected.

4. **SAMPLE FINAL DECREES** are included in this packet.
   - A. Use the Final Decree that fits your situation and matches the facts that were included in your Complaint for Divorce.
   - B. DOCUMENT FORMAT. The document must be typed (not handwritten) on 8.5" x 11" paper with 1 inch margins. Single (not double) sided; and double (not single) spaced.
   - C. SIGNATURES on a Final Decree should not be notarized.
     - (1) The Plaintiff must sign the Final Decree.
     - (2) The Defendant must sign the Final Decree if service is by Acceptance/Waiver.

Sample document 12 FINAL DECREE

Final Decree to match a Complaint for Divorce based on

A. 6 month separation period has passed before the Complaint is filed

B. No Minor Children born or adopted of the marriage

C. With a PSA signed by both parties and filed with the Court – statutory notices are required if the parties PSA includes spousal support. These notices are not included in this sample document, see Virginia Code § 20-107.1(H).

Should not be notarized

Defendant must sign the Final Decree if service was by Acceptance/Waiver.

V I R G I N I A

IN THE CIRCUIT COURT OF THE CITY OF ALEXANDRIA

_____ *(Plaintiff's name)*

vs. DOCKET NO. CL_____

_____ *(Defendant's name)*

FINAL DECREE OF DIVORCE

THIS CAUSE came to be heard upon Plaintiff's Complaint filed herein; service of process upon the Defendant was _____ *(select "in a proper manner" or "by acceptance/waiver of service of process by the Defendant);* notice of hearing upon the Defendant was ____ *(select "in a proper manner" or "by waiver of notice by Defendant)* and, an *ore tenus* hearing having been held or an affidavit having been submitted.

UPON CONSIDERATION WHEREOF, it appearing to the Court independently of the admissions of either party in the pleadings or otherwise, that the parties hereto were legally married to each other on _____*[date of marriage]* in _____ *(where the marriage occurred: City and State if in the United States; Name of Country if outside the United States*);

THERE WERE NO MINOR CHILDREN born or adopted of the marriage;

That the parties hereto are over the age of eighteen (18) years;

ACTIVE DUTY MILITARY STATUS: Paragraph 4 instructions.
Select and include 1 of the following 4 options.

That Plaintiff is an active-duty member of the Armed Forces of the United States and Defendant is not an active-duty member of the Armed Forces of the United States;

**** or ******

That Defendant is an active-duty member of the Armed Forces of the United States and Plaintiff is not an active-duty member of the Armed Forces of the United States;

**** or ******

That both Plaintiff and Defendant are active-duty members of the Armed Forces of the United States;

**** or ******

That neither Plaintiff nor Defendant are active-duty members of the Armed Forces of the United States;

The _____*(select "Plaintiff is an" or "Defendant is an" or "both Plaintiff and Defendant are")* actual bona fide resident and domiciliary of the Commonwealth of Virginia, and has been such for more than six months immediately preceding the institution of this suit;

The parties hereto separated on _____ *(date of separation)* and have lived separate and apart without any cohabitation and without interruption to the present;

That it was the intention of one of the parties that the separation be permanent for at least six months prior to the filing of the Complaint;

There is no probability of reconciliation between the parties; and

That the facts alleged in the Complaint have been proven and fully sustained and the Plaintiff is entitled to the relief prayed for; it is thereby

ADJUDGED, ORDERED, and DECREED that the Plaintiff, be and hereby is, granted a divorce a vinculo matrimonii from the Defendant, on the ground of having lived separate and apart without any cohabitation and without interruption, for a period of six months, and

that the bonds of matrimony heretofore existing between the parties are hereby declared to be dissolved; and it is further

ADJUDGED, ORDERED, and DECREED that the Property Settlement Agreement entered into between the parties dated _____ *(date of PSA)* is hereby affirmed, ratified and incorporated but not merged into the Final Decree of Divorce to the extent permitted under Section 20-109.1 of the 1950 Code of Virginia, as amended, and the parties are hereby ordered to comply with its terms; and it is further

ADJUDGED, ORDERED, and DECREED, as required by Section 20-91(B) of the 1950 Code of Virginia, as amended, the parties' social security numbers or driver's license numbers are hereby incorporated through their addendum for protected information previously filed;

ADJUDGED, ORDERED, and DECREED that the Clerk of this Court shall cause a copy of this Decree to issue to Plaintiff, and

BENEFICIARY LANGUAGE. The following paragraph is required to be included in the Final Decree and must be **in bold type**. All final decrees without the beneficiary language **in bold type** will be rejected.

NOTICE, required by Virginia Code Section 20-111.1 is hereby given that: Beneficiary designations for any death benefit, as defined in subsection B of Section 20-111.1 of the Code of Virginia, made payable to a former spouse may or may not be automatically revoked by operation of law upon the entry of a final decree of annulment or divorce. If a party intends to revoke any beneficiary designation made payable to a former spouse following the annulment or divorce, the party is responsible for following any and all instructions to change such beneficiary designation given by the provider of the death benefit. Otherwise, existing beneficiary designations may remain in full force and effect after the entry of a final decree of annulment or divorce.

THIS CAUSE IS FINAL and should be removed from the docket.

ENTERED this _____ day of _____, 20_____.

_____
JUDGE

I ASK FOR THIS:

_____
Plaintiff, *pro se*
_____*[Plaintiff's street address]*
_____ *[Plaintiff's City, State and zip code*

_____
Defendant, *pro se*
Defendant's signature is required if the Defendant signed the Acceptance/Waiver

Sample document 13 FINAL DECREE

Final Decree to match a Complaint for Divorce based on

A. 1 year separation period has passed before the Complaint is filed

B. No Minor Children born or adopted of the marriage

C. With or without a PSA signed by both parties and filed with the Court– statutory notices are required if the parties PSA includes spousal support. These notices are not included in this sample document, see Virginia Code § 20-107.1(H).

Should not be notarized

Defendant must sign the Final Decree if service was by Acceptance/Waiver.

V I R G I N I A

IN THE CIRCUIT COURT OF THE CITY OF ALEXANDRIA

_____ *(Plaintiff's name)*

vs. DOCKET NO. CL_____

_____ *(Defendant's name)*

FINAL DECREE OF DIVORCE

THIS CAUSE came to be heard upon Plaintiff's Complaint filed herein; service of process upon the Defendant was _____ *(select "in a proper manner" or "by acceptance/waiver of service of process by the Defendant);* notice of hearing upon the Defendant was _____ *(select "in a proper manner" or "by waiver of notice by Defendant)* and, upon an *ore tenus* hearing having been held or an affidavit having been submitted.

UPON CONSIDERATION WHEREOF, it appearing to the Court independently of the admissions of either party in the pleadings or otherwise, that the parties hereto were legally married to each other on _____*[date of marriage]* in _____ *(where the marriage occurred: City and State if in the United States; Name of Country if outside the United States*);

THERE WERE NO MINOR CHILDREN born or adopted of the marriage;

That the parties hereto are over the age of eighteen (18) years;

ACTIVE DUTY MILITARY STATUS: Paragraph 4 instructions.
Select and include 1 of the following 4 options.

That Plaintiff is an active-duty member of the Armed Forces of the United States and Defendant is not an active-duty member of the Armed Forces of the United States;

**** or ******

That Defendant is an active-duty member of the Armed Forces of the United States and Plaintiff is not an active-duty member of the Armed Forces of the United States;

**** or ******

That both Plaintiff and Defendant are active-duty members of the Armed Forces of the United States;

**** or ******

That neither Plaintiff nor Defendant are active-duty members of the Armed Forces of the United States;

The _____*(select "Plaintiff is an" or "Defendant is an" or "both Plaintiff and Defendant are")* actual bona fide resident and domiciliary of the Commonwealth of Virginia, and has been such for more than six months immediately preceding the institution of this suit;

The parties hereto separated on _____ *(date of separation)* and have lived separate and apart without any cohabitation and without interruption to the present;

That it was the intention of one of the parties that the separation be permanent for at least one year prior to the filing of the Complaint;

There is no probability of reconciliation between the parties; and

That the facts alleged in the Complaint have been proven and fully sustained and the Plaintiff is entitled to the relief prayed for; it is thereby

ADJUDGED, ORDERED, and DECREED that the Plaintiff, be and hereby is, granted a divorce a vinculo matrimonii from the Defendant, on the ground of having lived separate and apart without any cohabitation and without interruption, for a period of one year, and that the bonds of matrimony heretofore existing between the parties are hereby declared to be dissolved; and it is further

PROPERTY SETTLEMENT AGREEMENT Instructions. Include the following paragraph if the parties have a PSA signed by both parties and the PSA has been filed in Room 307.

ADJUDGED, ORDERED, and DECREED that the Property Settlement Agreement entered into between the parties dated _____ *(the date the PSA was signed by the parties)* is hereby affirmed, ratified and incorporated but not merged into the Final Decree of Divorce to the extent permitted under Section 20-109.1 of the 1950 Code of Virginia, as amended, and the parties are hereby ordered to comply with its terms; and it is further

ADJUDGED, ORDERED, and DECREED, as required by Section 20-91(B) of the 1950 Code of Virginia, as amended, the parties' social security numbers or driver's license numbers are hereby incorporated by reference through their addendum for protected information previously filed;

ADJUDGED, ORDERED, and DECREED that the Clerk of this Court shall cause a copy of this Decree to issue to Plaintiff, and

BENEFICIARY LANGUAGE. The following paragraph is required to be included in the Final Decree and must be **in bold type**. All final decrees without the beneficiary language **in bold type** will be rejected.

NOTICE, required by Virginia Code Section 20-111.1 is hereby given that:

Beneficiary designations for any death benefit, as defined in subsection B of Section 20-111.1 of the Code of Virginia, made payable to a former spouse may or may not be automatically revoked by operation of law upon the entry of a final decree of annulment or divorce. If a party intends to revoke any beneficiary designation made payable to a former spouse following the annulment or divorce, the party is responsible for following any and all instructions to change such beneficiary designation given by the provider of the death benefit. Otherwise, existing beneficiary designations may remain in full force and effect after the entry of a final decree of annulment or divorce.

THIS CAUSE IS FINAL and should be removed from the docket.

ENTERED this _____ day of _____, 20_____.

_____
JUDGE

I ASK FOR THIS:

_____
Plaintiff, *pro se*
_____*[Plaintiff's street address]*
_____ *[Plaintiff's City, State and zip code*

_____
Defendant, *pro se*
Defendant's signature is required if the Defendant signed the Acceptance/Waiver

Sample document 14 FINAL DECREE

Final Decree to match a Complaint for Divorce based on

1. 1 year separation period passed before the Complaint was filed in the Clerk's office
2. With Minor Children born or adopted of the marriage
3. With or without a PSA signed by both parties and filed with the Court
4. Child support, child custody and spousal support language are included in this sample. Delete the paragraphs if this does not apply to your situation.

Should not be notarized

Defendant must sign the Final Decree if service was by Acceptance/Waiver.

V I R G I N I A

IN THE CIRCUIT COURT OF THE CITY OF ALEXANDRIA

_____ *(Plaintiff's name)*

vs. DOCKET NO. CL_____

_____ *(Defendant's name)*

FINAL DECREE OF DIVORCE

THIS CAUSE came to be heard upon Plaintiff's Complaint filed herein; service of process upon the Defendant was _____ *(select "in a proper manner" or "by acceptance/waiver of service of process by the Defendant);* notice of hearing upon the Defendant was _____ *(select "in a proper manner" or "by waiver of notice by Defendant)* and, upon an *ore tenus* hearing having been held or an affidavit having been submitted.

UPON CONSIDERATION WHEREOF, it appearing to the Court independently of the admissions of either party in the pleadings or otherwise, that the parties hereto were legally married to each other on _____*[date of marriage]* in _____ *(where the marriage occurred: City and State if in the United States; Name of Country if outside the United States*);

MINOR CHILDREN instructions. Include the name and date of birth for each minor child born or adopted of the marriage.

THERE WERE _____ *(number of minor children)* MINOR CHILDREN born or adopted of the marriage; and the minor children's names and dates of birth are _____*(minor child's name)* born _____ *(date of birth);* and _____*(minor child's name)* born _____ *(date of birth);* and _____*(minor child's name)* born _____ *(date of birth).*

That the parties hereto are over the age of eighteen (18) years;

ACTIVE DUTY MILITARY STATUS: Paragraph 4 instructions.
Select and include 1 of the following 4 options.

That Plaintiff is an active-duty member of the Armed Forces of the United States and Defendant is not an active-duty member of the Armed Forces of the United States;

**** or ******

That Defendant is an active-duty member of the Armed Forces of the United States and Plaintiff is not an active-duty member of the Armed Forces of the United States;

**** or ******

That both Plaintiff and Defendant are active-duty members of the Armed Forces of the United States;

**** or ******

That neither Plaintiff nor Defendant are active-duty members of the Armed Forces of the United States;

The _____*(select "Plaintiff is an" or "Defendant is an" or "both Plaintiff and Defendant are")* actual bona fide resident and domiciliary of the Commonwealth of Virginia, and has been such for more than six months immediately preceding the institution of this suit;

The parties hereto separated on _____ *(date of separation)* and have lived separate and apart without any cohabitation and without interruption to the present;

That it was the intention of one of the parties that the separation be permanent for at least one year prior to the filing of the Complaint;

There is no probability of reconciliation between the parties; and

That the facts alleged in the Complaint have been proven and fully sustained and the Plaintiff is entitled to the relief prayed for; it is thereby

ADJUDGED, ORDERED, and DECREED that the Plaintiff, be and hereby is, granted a divorce a vinculo matrimonii from the Defendant, on the ground of having lived separate and apart without any cohabitation and without interruption, for a period of one year, and that the bonds of matrimony heretofore existing between the parties are hereby declared to be dissolved; and it is further

PROPERTY SETTLEMENT AGREEMENT Instructions. Include the following paragraph if the parties have a PSA signed by both parties and the PSA has been filed in Room 307.

ADJUDGED, ORDERED, and DECREED that the Property Settlement Agreement entered into between the parties dated _____ *(the latest or most recent date that the Property Settlement Agreement was signed by both parties)* is hereby affirmed, ratified and incorporated but not merged into the Final Decree of Divorce to the extent permitted under Section 20-109.1 of the 1950 Code of Virginia, as amended, and the parties are hereby ordered to comply with its terms; and it is further

SPOUSAL AND/OR CHILD SUPPORT Instructions. Include the following paragraph if the parties have included child or spousal support payments in either the Final Decree or the Property Settlement Agreement.

ADJUDGED, ORDERED, and DECREED that _____ *(name of the party paying the support)* is required to pay _____ *("child" or "spousal" or "child and spousal")* support to _____*(name of the party receiving the support)*, and therefore, Section 20.60.3 of the 1950 Code of Virginia, as amended, is applicable; and

CHILD CUSTODY Instructions. Include the following paragraph if the parties have included a determination of CHILD CUSTODY in either the Final Decree or the Property Settlement Agreement.

ADJUDGED, ORDERED, and DECREED pursuant to Section 20-124.5 of the 1950 Code of Virginia, as amended, and for so long as custody or visitation is the subject of an order of this Court, thirty (30) days advance written notice shall be given to the Court and the other party by any party intending to relocate, and of any intended change of address, unless the Court for good cause shall order otherwise; and

SPOUSAL AND CHILD SUPPORT PAYMENT Instructions. Include the following paragraphs if the parties have included a determination of CHILD CUSTODY in either the Final Decree or the Property Settlement Agreement.

ORDERED that pursuant to Section 20-60.3, 1950 Code of Virginia, as amended, the following information and notices are included herein:

1. Support payments may be withheld as they become due pursuant to section 20-79.1 or 20-79.2, from income as defined in Section 63.2-1900, without further amendments of this order or having to file an application for services with the Department of Social Services;

2. Support payments may be withheld pursuant to Chapter 19 (Section 63.2-1900 et seq.) of Title 63.2 without

further amendments to the order upon application for services with the Department of Social Services;

CHILD'S (OR CHILDREN'S) INFORMATION Instructions. For each child, include the child's full name (including middle name), child's date of birth, and the last 4 digits of the child's social security number.

3. CHILDREN'S INFORMATION

_____	_____	_____
(child's name)	*(child's date of birth)*	*(last 4 digits of SSN)*
_____	_____	_____
(child's name)	*(child's date of birth)*	*(last 4 digits of SSN)*

PARENT OR RESPONSIBLE PARTY INFORMATION – Paragraph 4 Instructions.

(1) Provide the following information for each parent or the person who is responsible for support Full Name, Date of Birth; Residential Address (or mailing address if different from residential address); Residential Telephone Number; Last four digits of the payor's social security number, Employer's Name, address and telephone number.

(2) If any specific information is not known, then state "unknown".

(3) <u>When a protective order has been issued or the court otherwise finds reason to believe that a party is at risk of physical or emotional harm from the other party, information other than the name of the party at risk shall not be included in the order.</u>

4. PAYOR AND PAYEE INFORMATION

A. PAYOR Information

_____ *(Name)*
_____ *(Date of Birth)*
_____ *(Residential Address)*
_____
_____ *(Telephone number)*
_____ *(Last 4 digits of the social security number)*

_____ *(Employer Name)*
_____*(Employer Address)*
_____
_____*(Employer Telephone Number)*

B. PAYEE Information

_____ *(Name)*

_____ *(Date of Birth)*
_____ *(Residential Address)*
_____
_____ *(Telephone number)*
_____ *(Last 4 digits of the social security number)*

_____ *(Employer Name)*
_____*(Employer Address)*
_____
_____*(Employer Telephone Number)*

5. Pursuant to § 20-124.2, support will continue to be paid for any child over the age of 18 who is (i) a full-time high school student, (ii) not self-supporting, and (iii) living in the home of the party seeking or receiving child support until such child reaches the age of 19 or graduates from high school, whichever occurs first, and that the court may also order that support be paid or continue to be paid for any child over the age of 18 who is (a) severely and permanently mentally or physically disabled, and such disability existed prior to the child reaching the age of 18 or the age of 19 if the child met the requirements of clauses (i), (ii), and (iii); (b) unable to live independently and support himself; and (c) residing in the home of the parent seeking or receiving child support;

LICENSE/REGISTRATION/AUTHORIZATION INFORMATION – Paragraph 6 Instructions. Provide the Plaintiff's and Defendant's information regarding a Commonwealth of Virginia license, certificate, registration or other authorization or write "none" if the party does not hold such a license, certificate, registration nor other authorization.

6. A petition may be filed for suspension of any license, certificate, registration or other authorization to engage in a profession, trade, business, occupation, or recreational activity issued by the Commonwealth to a parent as provided in § 63.2-1937 upon a delinquency for a period of 90 days or more or in an amount of $5,000 or more.

Plaintiff _____

Defendant _____

PERIODIC SUPPORT PAYMENT INFORMATION – Paragraph 7 Instructions. Provide the amount of periodic support payments expressed in fixed sums, together with the payment interval, the date that the payments are due, and the date that the first payment is due.

7. PERIODIC SUPPORT PAYMENTS.

_____

_____

_____

HEALTH COVERAGE INFORMATION. – Paragraph 8 instructions.

8-A. Provide the health insurance policy information for the dependent children pursuant to 20-108.01 and 20-108.2 if available at a reasonable cost as defined in 63.2-1900.

8-B. Include a statement as to whether there is an order for health care coverage for a spouse or former spouse, or state if there is no healthcare available at a reasonable cost or included.

8-C. Insert a statement as to whether any cash medical support is to be paid by or reimbursed to a party pursuant to Subsection D and subdivision G3 of 20.108.2; and if such expenses are ordered by a court, then the provisions as to how such payment is to be made; or state that there is no provision for cash medical support in excess of insurance coverage.

8. HEALTH COVERAGE INFORMATION

8-A. Policy Information: _____
_____

8-B. Cash Medical Support: _____
_____

SUPPORT ARREARAGES – Paragraph 9(a) instructions.
If support arrearages exist, include the following information
(1) to whom an arrearage is owed and the amount of the arrearage;
(2) the period of time for which such arrearage is calculated; and
(3) a direction that all payments are to be credited to current support obligations first, with any payment in excess of the current obligation to be applied to the arrearages.

SUPPORT OVERAGES – Paragrpah 9(b) instructions.
If support overages exist, include the following information
(1) to whom an overage is owed and the amount of the overage;
(2) the period of time for which such overage is calculated; and
(3) how such overage is to be paid.

--or—state that no support overages or arrearages exist.

9. SUPPORT ARREARAGES AND SUPPORT OVERAGES

_____
_____
_____
_____

10. If child support payments are ordered to be paid through the Department of Social Services or directly to the obligee, and unless the court for good cause shown orders otherwise, the parties shall give each other and the court and, when payments are to be made through the Department, the Department of Social Services at least 30 days' written notice, in advance, of any change of address and any change of telephone number within 30 days after the change;

11. If child support payments are ordered to be paid through the Department of Social Services, then the obligor must keep the Department of Social Services informed, or if payments are ordered to be paid directly to the obligee, the obligor must keep the court informed, of (i) _____ *(his or her)* name, address and telephone number of his current employer; (ii) any change to _____ *(his or her)* employment status; and (iii) if _____ *(he or she)* has filed a claim for or is receiving benefits under the provisions of Title 60.2. The provision shall further specify that any such change in employment status or filing of a claim shall be communicated to the Department of Social Services or the court in writing within 30 days of such change or filing;

12. If child support payments are ordered to be paid through the Department of Social Services, the party obligated to provide health care coverage must keep the Department of Social Services informed of any changes in the availability of the health care coverage for the minor child or children, or if payments are ordered to be paid directly to the obligee, the party obligated to provide health care coverage must keep the other party informed of any changes in the availability of the health care coverage for the minor child or children;

PAYMENT INSTRUCTIONS – Paragraph 13 instructions.
State the separate amount of child or spousal support due to each person unless the court specifically orders a unitary award of child AND spousal support due or the order affirms a Property Separation Agreement containing provision for such unitary award.

13. PAYMENT INSTRUCTIONS
_____
_____
_____

14. The parties are notified that, in determination of a support obligation, the support obligation as it becomes due and unpaid creates a judgment by operation of law; pursuant to Section 20-78.2, interest on the arrearage at the judgment rate as established by Section 6.2-302 will accrue unless the obligee, in a writing submitted to the court, waives the collection of interest;

15. On and after July 1, 1994, the Department of Social Services may, pursuant to Chapter 19 (Section 63.2-1900 et seq.) of Title 63.2 and in accordance with Sections 20-108.2 and 63.2-1921, initiate a review of the amount of support ordered by any court;

16. The parties are notified that if any arrearages for child support, including interest or fees, exist at the time the youngest child included in the order emancipates, payments shall continue in the total amount due (current support plus amount applied toward arrearages) at the time of emancipation until all arrearages are paid; and

17. Parties are notified that, in cases enforced by the Department of Social Services, the Department of Motor Vehicles may suspend or refuse to renew the driver's license or other document issued under Chapter 3 (Section 46.2-300 et seq.) of Title 46.2 authorizing the operation of a motor vehicle upon the highways, of any person upon receipt of notice from the Department of Social Services that the person (i) is delinquent in the payment of child support by 90 days or in an amount of $5,000 or more; or (ii) has failed to comply with a subpoena, summons, or warrant relating to paternity or child support proceedings.

BENEFICIARY LANGUAGE. The following paragraph is required to be included in the Final Decree and must be **in bold type**. All final decrees without the beneficiary language **in bold type** will be rejected.

NOTICE, required by Virginia Code Section 20-111.1 is hereby given that: Beneficiary designations for any death benefit, as defined in subsection B of Section 20-111.1 of the Code of Virginia, made payable to a former spouse may or may not be automatically revoked by operation of law upon the entry of a final decree of annulment or divorce. If a party intends to revoke any beneficiary designation made payable to a former spouse following the annulment or divorce, the party is responsible for following any and all instructions to change such beneficiary designation given by the provider of the death benefit. Otherwise, existing beneficiary designations may remain in full force and effect after the entry of a final decree of annulment or divorce.

ADJUDGED, ORDERED, and DECREED, as required by Section 20-91(B) of the 1950 Code of Virginia, as amended, the parties' social security numbers or driver's license numbers are hereby incorporated by reference through their addendum for protected information previously filed;

ADJUDGED, ORDERED, and DECREED that the Clerk of this Court shall cause a copy of this Decree to issue to Plaintiff, and

THIS CAUSE IS FINAL and should be removed from the docket.

ENTERED this _____ day of _____, 20_____.

_____
JUDGE

I ASK FOR THIS:

_____
Plaintiff, *pro se*
_____*[Plaintiff's street address]*
_____ *[Plaintiff's City, State and zip code*

_____
Defendant, *pro se*
Defendant's signature is required if the Defendant signed the Acceptance/Waiver

VIRGINIA

IN THE CIRCUIT COURT OF THE CITY OF ALEXANDRIA

In the matter of the change of name from

_____ : Docket No. CL_____

to _____ :

NAME CHANGE ORDER

This day came the Petitioner, seeking to change his/her name by reason of divorce; and it appearing to the Court that:

1. The Petitioner's current full name is _____.
2. The Petitioner's current address is _____ *(street address),* _____*(City, State and Zip Code),*
3. The Petitioner previously went by the following names _____ (*provide the full former name, including first name, middle name (not just the initial), last name, and or maiden name, including first, middle and last name).*
4. The Petitioner seeks to change his/her name to _____*(full former or maiden name, including first, middle and last name).*
5. The Petitioner does not seek this name change for any fraudulent or unlawful purpose.

ADJUDGED, ORDERED and DECREED that the name of the Petitioner is hereby changed

from _____*(full current name, including first, middle and last name)*

to _____*(full former or maiden name, including first, middle and last name),*

and further

ADJUDGED, ORDERED and DECREED that the Clerk of this Court, pursuant to the provisions of Section 8.01-217 of the 1950 Code of Virginia, as amended, shall spread this order upon the current deed book, index it in both the old and new names, and transmit a certified copy to both the State Registrar of Vital Statistics and the Criminal Records Exchange.

Entered this _____ day of _____, 20_____.

_____
JUDGE

I ASK FOR THIS:

_____***(Signature required of person asking for the name change)***
Petitioner

_____ ***[address]***
_____
_____***[telephone number]***

Instruction document 6 PROPERTY SETTLEMENT AGREEMENT
Instructions only. No sample document provided.

1. **PROPERTY SETTLEMENT AGREEMENT ("PSA")**
   - A. A PSA is a written contract that is used to divide property between parties or to make statements regarding child custody, child support and/or spousal support issues.
   - B. The PSA must be signed by both parties.
   - C. The Complaint must state the parties have a PSA and the date it was entered into.
   - D. The PSA must be filed in the Clerk's office (Room 307).

2. **PROPERTY SETTLEMENT AGREEMENT**
   - A. **REQUIRED** for all uncontested divorces based on 6 month separation period with no minor children.
   - B. **IF THE PARTIES HAVE MINOR CHILDREN.** Parties with minor children born or adopted of the marriage must wait one year before filing a Complaint for Divorce in the Clerk's office (and then proceed with or without a signed PSA).
   - C. **IF THE PARTIES DO NOT HAVE A PSA** the parties must wait until after the mandatory 1 year separation period has passed before filing the Complaint for Divorce in the Clerk's Office.
     - (1) Or, the parties can prepare a PSA that is signed by both parties and filed in the Clerk's Office.

3. **PROPERTY SETTLEMENT AGREEMENT**
   - A. **OPTIONAL.** A PSA is optional if the uncontested divorce is based on 1 year separation period.
   - B. Parties who have been separated for at least one year are not required to have a PSA.
   - C. If the parties have a PSA, the PSA must be filed in the Clerk's office.

4. **NO PROPERTY TO BE DIVIDED**
   If the parties do not have property to be divided, the PSA should state
   - A. Parties have no property; or
   - B. There is no property to be divided.

5. **PSA INCORPORATED INTO THE FINAL DECREE**
   If the Final Decree incorporates a PSA,
   - A. The date that the PSA was entered into force must be included; and
   - B. The following language must be included in the Final Decree:
     - (1) "There is no remaining property to be divided."
     - (2) Do not use "not applicable" or "n/a".

6. **CHILD SUPPORT and/or SPOUSAL SUPPORT NOTICES**
   - A. **REQUIRED** by statute for divorces based on one year of separation
   - B. For custody and/or support agreements included in the PSA
   - C. **Sample document 14** includes sample language for child custody, child support and spousal support.

7. **PLAINTIFF INSTRUCTIONS**
   - A. Type the PROPERTY SETTLEMENT AGREEMENT.
   - B. SIGNATURES. Both parties (plaintiff and defendant) sign the PSA. Signatures on a PSA do not have to be notarized.
   - C. Make 2 copies of the PSA (one for you; one for the defendant).
   - D. **GO TO THE CLERK'S OFFICE 520 King Street Room 307 703.746.4044**
     - (1) File the PSA.
     - (2) Date-stamped copy. Ask the Clerk to date-stamp the document to indicate the date and time the document was filed.

Sample document 18 VS-4 FORM

Do not print this page. Obtain the form from the Clerk's office (Room 307).

Document is on special paper and must be obtained from Clerk of Circuit Court (Room 307)

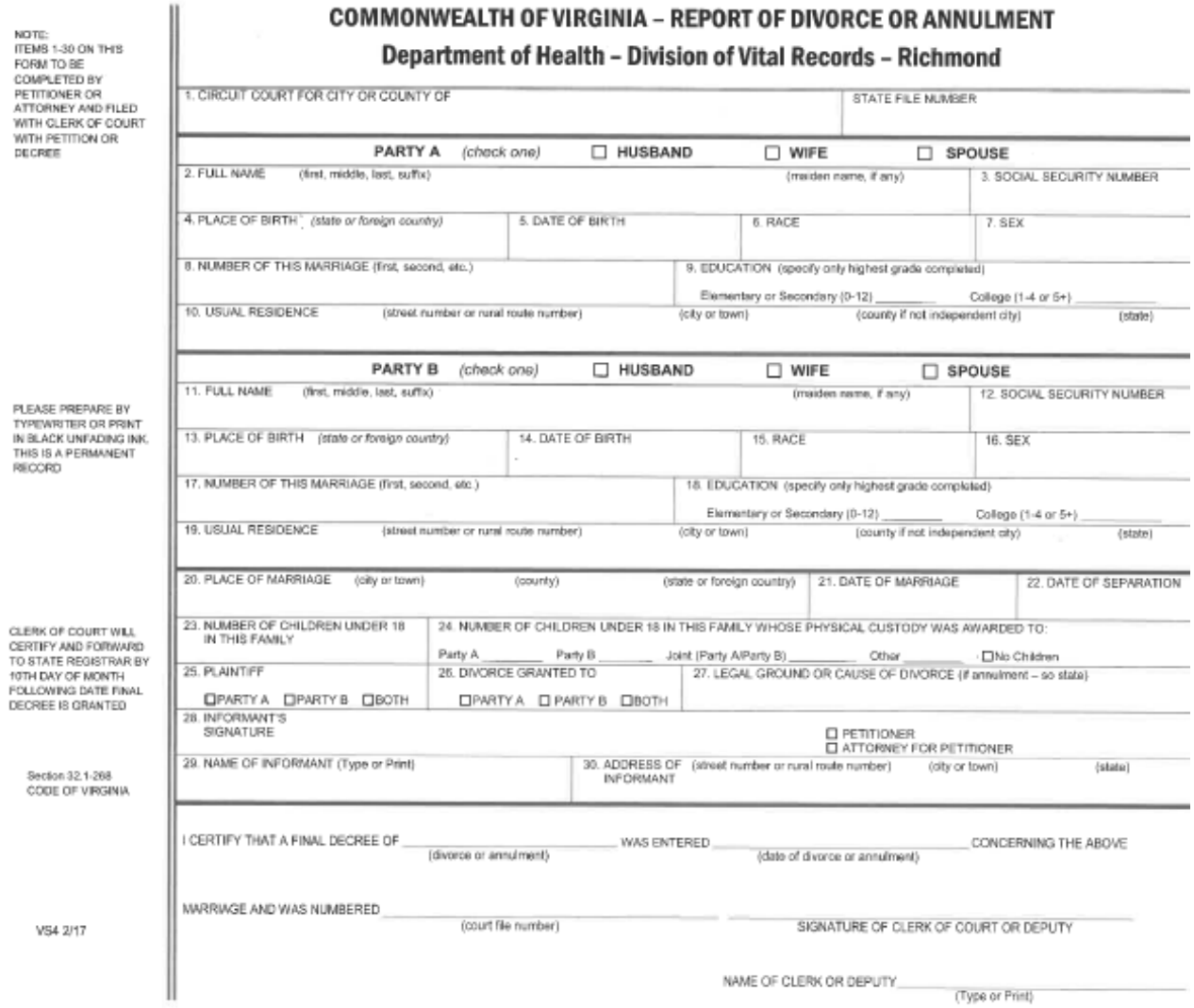
Should not be notarized.

A. **VS-4 FORM**

1. **REQUIRED** for all divorce cases.
2. The VS-4 form is a statistical form that is sent from the Clerk's office to Virginia's Registrar.

B. **PLAINTIFF INSTRUCTIONS**

1. Obtain the **VS-4 form** from the Clerk's office (Room 307). The VS-4 form is on special-sized paper and cannot be downloaded from the internet.
2. Black ink only.
3. **ALL OF THE BOXES MUST BE COMPLETED.**
   a. Write "unknown" if you do not know the information.
   b. #26 check the box to indicate who the divorce is granted to (Party A or Party B), check the box that matches the Plaintiff. **DO NOT check "both".**
   c. #27 state the grounds (either "six-month separation" or "one-year separation")



NOTE: ITEMS 1-30 ON THIS FORM TO BE COMPLETED BY PETITIONER OR ATTORNEY AND FILED WITH CLERK OF COURT WITH PETITION OR DECREE

PLEASE PREPARE BY TYPEWRITER OR PRINT IN BLACK UNFADING INK. THIS IS A PERMANENT RECORD

CLERK OF COURT WILL CERTIFY AND FORWARD TO STATE REGISTRAR BY 10TH DAY OF MONTH FOLLOWING DATE FINAL DECREE IS GRANTED

Section 32.1-268 CODE OF VIRGINIA

VS4 2/17

COMMONWEALTH OF VIRGINIA – REPORT OF DIVORCE OR ANNULMENT

Department of Health – Division of Vital Records – Richmond

1. CIRCUIT COURT FOR CITY OR COUNTY OF | STATE FILE NUMBER

PARTY A *(check one)* ☐ HUSBAND ☐ WIFE ☐ SPOUSE

2. FULL NAME (first, middle, last, suffix) (maiden name, if any) | 3. SOCIAL SECURITY NUMBER

4. PLACE OF BIRTH (state or foreign country) | 5. DATE OF BIRTH | 6. RACE | 7. SEX

8. NUMBER OF THIS MARRIAGE (first, second, etc.) | 9. EDUCATION (specify only highest grade completed) Elementary or Secondary (0-12) _____ College (1-4 or 5+) _____

10. USUAL RESIDENCE (street number or rural route number) (city or town) (county if not independent city) (state)

PARTY B *(check one)* ☐ HUSBAND ☐ WIFE ☐ SPOUSE

11. FULL NAME (first, middle, last, suffix) (maiden name, if any) | 12. SOCIAL SECURITY NUMBER

13. PLACE OF BIRTH (state or foreign country) | 14. DATE OF BIRTH | 15. RACE | 16. SEX

17. NUMBER OF THIS MARRIAGE (first, second, etc.) | 18. EDUCATION (specify only highest grade completed) Elementary or Secondary (0-12) _____ College (1-4 or 5+) _____

19. USUAL RESIDENCE (street number or rural route number) (city or town) (county if not independent city) (state)

20. PLACE OF MARRIAGE (city or town) (county) (state or foreign country) | 21. DATE OF MARRIAGE | 22. DATE OF SEPARATION

23. NUMBER OF CHILDREN UNDER 18 IN THIS FAMILY | 24. NUMBER OF CHILDREN UNDER 18 IN THIS FAMILY WHOSE PHYSICAL CUSTODY WAS AWARDED TO: Party A _____ Party B _____ Joint (Party A/Party B) _____ Other _____ ☐No Children

25. PLAINTIFF ☐PARTY A ☐PARTY B ☐BOTH | 26. DIVORCE GRANTED TO ☐PARTY A ☐PARTY B ☐BOTH | 27. LEGAL GROUND OR CAUSE OF DIVORCE (if annulment – so state)

28. INFORMANT'S SIGNATURE ☐ PETITIONER ☐ ATTORNEY FOR PETITIONER

29. NAME OF INFORMANT (Type or Print) | 30. ADDRESS OF INFORMANT (street number or rural route number) (city or town) (state)

I CERTIFY THAT A FINAL DECREE OF _____ (divorce or annulment) WAS ENTERED _____ (date of divorce or annulment) CONCERNING THE ABOVE MARRIAGE AND WAS NUMBERED _____ (court file number)

_____ SIGNATURE OF CLERK OF COURT OR DEPUTY

NAME OF CLERK OR DEPUTY _____ (Type or Print)