

DIVORCE INSTRUCTIONS

No fault (one year Separation), no contest

The forms are provided as a convenience and were not prepared by the court or the Clerk's office.

If you choose to represent yourself, it is your responsibility to know the law.

No representations are made by the Court of Clerk's office as to the appropriateness of the attached forms or information.

A fee of \$86.00 is due at the time of filing. An additional \$21.00 is required if the wife desires to resume her maiden name. We accept personal checks, cash, or money orders. You will need one (1) original and one (1) copy of the complaint. Failure to provide correct amount of copies will result in a fee of \$0.50 per page.

Please bring a valid picture ID with you.

After the complaint is docketed in the court, you must decide on how to serve your spouse.

1. This may be done by a sheriff for a fee of \$12.00 in the Commonwealth of Virginia
2. You may give or mail a copy of the complaint along with a form we provide and they can accept service via notary.

You will have to appear in court for your hearing. You may schedule this hearing through our office 21 days after the defendant has been served. You will need to bring a witness to Court for your actual hearing.

**THE FORMS NEED TO BE TYPED OR PRINTED IN VERY NEAT
HANDWRITING USING BLACK INK.
THE JUDGE WILL NOT ACCEPT ANY FORMS THAT ARE NOT LEGIBLE.**

Office hours are 9:00am to 5:00pm Monday thru Friday excluding holidays and in some cases, inclement weather. Thank you.

VIRGINIA: IN THE CIRCUIT COURT OF FREDERICK COUNTY

PLANTIFF

ADDRESS

CITY, STATE, & ZIP CODE

v.

CIVIL ACTION No. _____

DEFENDANT

ADDRESS

CITY, STATE, & ZIP CODE

COMPLAINT

No fault (One Year Separation), No Contest

Comes Now Plaintiff, _____, and for his/her

Complaint, respectfully represents as follows:

1. That your Plaintiff was lawfully married to the Defendant,

_____, on _____, in

DEFENDANT'S NAME

DATE OF MARRIAGE

LOCATION OF MARRIAGE

2. _____ That there are no children born or adopted by the parties.

OR

_____ That there were _____ children born or adopted to the parties, whose full names and date(s) of birth are as follows: _____

That the custody and support of the children named above have been addressed in an Order dated

_____ from the Juvenile and Domestic Relations Court

DATE OF JDR ORDER

for _____.
COUNTY/CITY

List Case Numbers: _____

3. That your Plaintiff is domiciled in and has been a *bona fide* resident and domiciliary of the Commonwealth of Virginia for at least twelve (12) months immediately proceeding the commencement of this suit.

4. The parties last cohabitated together _____
CITY OR COUNTY & STATE

5. That the parties hereto separated on _____ at which time it was
DATE OF SEPARATION
the intent of one or both of the parties that the separation be permanent, and have lived separate and apart without any cohabitation and without interruption for at least six (6) months preceding the institution of this suit.

6. That on _____ the parties entered into a Property
DATE OF PROPERTY SETTLEMENT
Settlement Agreement that decides all property and support issues between the parties and there are no further issues for the Court to determine, and the agreement is attached as "Exhibit A."

7. That neither of the parties hereto are active members of the Armed Forces of the United States and they both are over the age of eighteen (18) years.

8. There is no hope for reconciliation between the parties.

WHEREFORE, Your Plaintiff prays as follows:

That Plaintiff be awarded a divorce a *vinculo matrimonii* from the Defendant on the ground of the parties have lived separate and apart without cohabitation or interruption for a period of one (1) year.

(If applicable), that the Property Settlement Agreement entered into between the parties and dated

_____ be affirmed, ratified, and incorporated (but not
DATE OF PROPERTY SETTLEMENT AGREEMENT

merged) into the Final Decree of divorce to the extent permitted under §20-191.1 of the Code of Virginia, and the parties may be ordered to comply with its terms.

That the provisions of custody, visitation, and support contained in the Order dated

_____ from the Juvenile and Domestic Relations Court
DATE OF COURT ORDER

for _____
COUNTY/CITY

List Case Numbers: _____

Be affirmed and jurisdiction over these matters shall remain with that Court.

_____ That the (Plaintiff/Defendant) be restored and confirmed to her/his former name, to-wit:

_____, and that he/she may have such other and

further relief as nature of this case may require.

Respectfully Submitted,

PLAINTIFF

PHONE/FAX

VIRGINIA: IN THE CIRCUIT COURT OF FREDERICK COUNTY

PLAINTIFF

v.

CIVIL ACTION No. _____

DEFENDANT

**ADDENDUM FILED PURSUANT TO
§20-121.03 OF THE CODE OF VIRGINIA, 1950,
AS AMENDED**

This Addendum is filed in the above referenced matter pursuant to §20-121.03 of the Code of Virginia, 1950, as amended. Its distribution is restricted in accordance with the terms of that statute.

The Social Security Number of the Plaintiff is _____ . The
SOCIAL SECURITY NUMBER
Social Security Number of the Defendant is _____ .
SOCIAL SECURITY NUMBER

Name of Child	Date of Birth	Social Security Number
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

(If additional space is required, file an additional Addendum.)

DATED: _____

PLAINTIFF

VIRGINIA: IN THE CIRCUIT COURT OF FREDERICK COUNTY

v.

CASE NO. _____

EVIDENCE TAKEN IN PRO SE DIVORCE PROCEEDING

DATE: _____

PRESENT: Plaintiff ___ Pro se ___ w/ Counsel: _____ Came not
Defendant ___ Pro se ___ w/ Counsel: _____ Came not

PLAINTIFF'S EVIDENCE:

FULL NAME: _____ Same as Complaint

ADDRESS: _____ Same as Complaint

LENGTH OF TIME: _____

PREVIOUS ADDRESS: _____

DEFENDANT'S FULL NAME: _____ Same as Complaint

DEFENDANT'S CURRENT ADDRESS: _____ Same as Complaint

LENGTH OF TIME: _____

PREVIOUS ADDRESS: _____

DATE OF MARRIAGE: _____ Same as Complaint

PLACE: _____ Same as Complaint

BOTH OVER EIGHTEEN (18) ___Y ___N BOTH OF SOUND MIND ___Y ___N

ARMED FORCES: ___PLAINTIFF ___DEFENDANT ___NEITHER

CHILDREN BORN OR ADOPTED OF MARRIAGE ___Y ___N

NAME(S) AND DOB: _____ Same as Complaint

CUSTODY WITH: ___PLAINTIFF ___DEFENDANT ___JOINT ___OTHER:

RESIDENCY AND DOMICILE PROVED FOR: ___PLAINTIFF ___DEFENDANT

DATE OF SEPARATION: _____ Same as Complaint___ Other:_____

ADDRESS @ SEPARATION: _____

LAST PLACE OF COHABITATION: _____

LENGTH OF SEPARATION: _____ 6 MONTHS _____ 1 YEAR

SEPARATION CONTINUOUS, UNINTERRUPTED, ETC. ___Y ___N

HOPE OR PROBABILITY OF RECONCILIATION: ___Y ___N

RESUMPTION OF MAIDEN NAME: ___Y ___N

PROP. SETTLE. AGREE. ___Y ___N

ALL MATTERS REGARDING MARTIAL PROPERTY, EQUIT. DIST., AND SPOUSAL SUPPORT HAVE BEEN RESOLVED AND NEITHER PARTY REQUISTES THE COURT TO TAKE ANY FURTHER ACTION ___Y ___N

DO YOU UNDERSTAND THAT IF THE ISSUES OF EQUIT. DIST. AND SPOUSAL SUPPORT ARE NOT REQUESTED AND CONSIDERED IN THIS PROCEEDING OR RESERVED HEREIN FOR SUBSEQUENT DETERMINATION, THAT YOUR RIGHT TO REQUEST EITHER FROM THE OTHER PARTY IS FOREVER BARRED? ___Y ___N

DO YOU DESIRE THAT ALL MATTERS PERTAINING TO CUSTODY, VISITATION, CHILD SUPPORT, AND THE FUTURE MODIFICATION THEREOF BE REFFERRED TO THE 26TH J&DR COURT FOR ENFORCEMENT, REVISION OR MODIFICATION AS MAY BE DEEMED PROPERTY BY SAID COURT? ___Y ___N

STATUTORY LANGUAGE AND NOTICE REQUIREMENT INFORMATION:

PLAINTIFF'S SSN: _____ DEFENDANT'S SSN: _____

EMPLOYER: _____ EMPLOYER: _____

ADDRESS: _____ ADDRESS: _____

WAIVE ENDORSEMENT PURSUANT TO RULE 1:30: ___Y ___N

OTHER EVIDENCE: _____

VIRGINIA: IN THE CIRCUIT COURT OF FREDERICK COUNTY

v.

CASE NO. _____

EVIDENCE TAKEN OF CORROBORATING WITNESS

NAME: _____

ADDRESS: _____

FAMILIAR W/ PARTIES: ___Y ___N FRIEND:___ RELATIVE:___
CO-WORKER:___ OTHER:___

HOW LONG HAVE YOU KNOWN THEM: _____

DATE OF MARRIAGE: _____ Same as Complaint

PLACE: _____ Same as Complaint

PARTIES OVER 18: ___Y ___N PARTIES OF SOUND MIND: ___Y ___N

ARMED FORCES: ___PLAINTIFF ___DEFENDANT ___NEITHER

CHILDREN BORN OR ADOPTED OR MARRIAGE: ___Y ___N

NAME(S) AND DOB: _____ Same as Complaint

CUSTODY WITH: ___PLAINTIFF ___DEFENDANT ___JOINT
___OTHER: _____

RESIDENCY AND COMICILE PROVED FOR: ___PLAINTIFF ___DEFENDANT

DATE OF SEPARATION: ___Same as Complaint ___Other: _____

ADDRESS @ SEPARATION: _____

LAST PLACE OF COHABITATION: _____

LENGTH OF SEPARATION: ___6 MONTHS ___1 YEAR

SEPARATION CONTINUOUS, UNINTERRUPTED, ETC: ___Y ___N

HOPE OR PROBABILITY OF RECONCILIATION: ___Y ___N

FREQUENCY OF CONTACT WITH PLAINTIFF/DEFENDANT/PARTIES:

OBSERVE EVIDENCE THAT PARTIES RESIDE TOGETHER: ___Y ___N

OTHER EVIDENCE:_____