



PAUL FERGUSON  
CLERK, CIRCUIT COURT

ARLINGTON COUNTY, VIRGINIA  
CLERK OF THE CIRCUIT COURT  
1425 N. COURTHOUSE ROAD, SUITE 6700  
ARLINGTON, VIRGINIA 22201

December 2011

Dear Sir or Madam:

Enclosed is a packet of information designed to help you pursue an uncontested, no-fault divorce in the Circuit Court of Arlington County. **This document is not intended to provide you with legal advice regarding your individual circumstances.** Rather, it is designed to answer some of the frequently asked questions that arise during uncontested divorce proceedings. The Arlington County Circuit Court has not approved any standard fill-in-the-blank forms for divorce in the Commonwealth of Virginia, except those approved by the Supreme Court of Virginia. To assist you in filing for divorce, we have attached samples of the types of documents you will need to file to obtain a divorce. The law library also has a variety of materials that offer samples of the various documents discussed in this packet.

Because there are many significant issues that arise during divorce, I strongly encourage you to hire competent domestic relations counsel to assist you with this process. The Clerk's office is prohibited by law from providing legal advice. If you have questions about the information contained in this packet or what information needs to be submitted to the court to obtain a divorce given your particular circumstances, you will need to seek the advice of an experienced attorney. Information regarding attorneys can be obtained from the Arlington Bar Lawyer Referral program at 703-228-3390. You can also contact Legal Services of Northern Virginia-Arlington Office at 703-532-3733 for assistance in finding an attorney.

As the law in this area is subject to frequent changes, you should make sure before filing for divorce that the information in this packet is current. Please understand that use of any of the forms provided in this packet will not guarantee that the Court will grant your divorce. The Court will decide each case on the facts presented and the applicable law. **Under no circumstances will the Arlington Circuit Court Clerk's Office or anyone contributing to the production of this informational packet assume any liability for any direct, indirect, or consequential damages that may occur as a result of its use.**

I hope you find this information package both helpful and informative as you pursue legal proceedings in the Arlington County Circuit Court.

Sincerely,

Paul Ferguson  
Clerk, Circuit Court of Arlington County

UNCONTESTED DIVORCE PROCEEDINGS IN  
ARLINGTON COUNTY CIRCUIT COURT

BASIC PROCEDURES and STANDARD FORMS

DECEMBER 2011

***THIS PACKET IS PROVIDED FOR INFORMATIONAL PURPOSES ONLY. IT IS NOT INTENDED TO BE NOR SHOULD IT BE RELIED UPON AS A SUBSTITUTE FOR LEGAL ADVICE FROM A COMPETENT DOMESTIC RELATIONS ATTORNEY.***

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ARLINGTON COUNTY CIRCUIT COURT  
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TABLE OF CONTENTS

I.	GENERAL INFORMATION .....	1
II.	GENERAL REQUIREMENTS FOR A DIVORCE IN VIRGINIA .....	3
III.	FILING REQUIREMENTS IN THE CIRCUIT COURT OF ARLINGTON COUNTY .....	3
IV.	DOCUMENTS NEEDED FOR A PRO SE DIVORCE .....	4
V.	THE PROCESS .....	6
	STEP ONE: FILING THE COMPLAINT, ARRANGING FOR A SUMMONS AND PAYING THE FEES .....	6
	STEP TWO: SERVICE OF THE COMPLAINT AND SUMMONS ...	7
	STEP THREE: REQUESTING AN ORE TENUS HEARING DATE ..	8
	STEP FOUR: THE ORE TENUS HEARING .....	9
	DECREES UPON DEPOSITION .....	10
VI.	CONCLUSION .....	11

APPENDICES

APPENDIX 1.	SAMPLE BILLS OF COMPLAINT 1A. SAMPLE COMPLAINT FOR DIVORCE – SIX MONTH SEPARATION/NO CHILDREN 1B. SAMPLE COMPLAINT FOR DIVORCE – ONE YEAR SEPARATION/CHILDREN
APPENDIX 2.	VS-4 FORM
APPENDIX 3.	ACCEPTANCE/WAIVER OF SERVICE OF PROCESS AND WAIVER OF FUTURE SERVICE OF PROCESS
APPENDIX 4.	SAMPLE REQUEST FOR <i>ORE TENUS</i> HEARING
APPENDIX 5.	SAMPLE FINAL DECREE 5A. SAMPLE FINAL DECREE – SIX MONTH SEPARATION, NO CHILDREN, PROPERTY SETTLEMENT AGREEMENT 5B. SAMPLE FINAL DECREE – ONE YEAR SEPARATION, SUPPORT, AND PROPERTY SETTLEMENT AGREEMENT
APPENDIX 6.	ADDENDUM FOR PROTECTED IDENTIFYING INFORMATION – CONFIDENTIAL
APPENDIX 7.	ORDER FOR CHANGE OF NAME (ADULT)
APPENDIX 8.	SAMPLE PROPERTY SETTLEMENT AGREEMENT
APPENDIX 9.	9A. SAMPLE <i>ORE TENUS</i> /DEPOSITION QUESTIONS PLAINTIFF 9B. SAMPLE <i>ORE TENUS</i> /DEPOSITION QUESTIONS WITNESS

# UNCONTESTED DIVORCE PROCEEDINGS IN ARLINGTON COUNTY CIRCUIT COURT

## GENERAL INFORMATION

The Virginia Code contains the laws of Virginia that relate to filing for and obtaining a divorce in any Circuit Court in Virginia. The Arlington Circuit Court follows the Rules of the Supreme Court of Virginia in divorce proceedings filed in Arlington. Copies of the Virginia Code and the Supreme Court Rules are available in the Arlington Law Library, which is located on the first floor of the Courthouse, 1425 N. Courthouse Road, Arlington, Virginia, 22201, as well as at local law libraries, in many public libraries, and on-line at <http://leg1.state.va.us>. You should not proceed without reviewing both the Virginia Code provisions applicable to your particular situation, as well as the Rules of the Supreme Court of Virginia, to ensure that you are not giving up important rights that you may possess under Virginia law. Because many of these laws are both complicated and complex, it is recommended that you hire a competent domestic relations attorney to assist you in filing for divorce.

If you choose to proceed without an attorney, you are a *pro se* litigant. This simply means that you are representing yourself. Your spouse may also choose to proceed as a *pro se* litigant, or your spouse may elect to hire an attorney to represent his/her own best interests.

**If you choose to proceed without the help of a competent attorney, you might unknowingly give up certain important rights, including custody of or visitation with your children, child support, spousal support, distribution of certain property that you and your spouse have acquired, or other legal claims that you may be entitled to make as a result of your marriage. Many of these rights cannot be claimed at a later date 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.**

There are various websites that sell pre-made forms to be used for a divorce. The Supreme Court of Virginia has not approved any of these forms for use in the Commonwealth of Virginia. If you decide to purchase and use one of these forms, your divorce will be denied if the form does not follow the laws of Virginia.

There are certain forms contained in the Appendix to this package, including the VS-4, Acceptance/Waiver of Service, Privacy Addendum, and Order for Change of Name that have been approved by the Supreme Court of Virginia. You are encouraged to use these forms as appropriate.

The remaining forms set forth in the Appendix are provided as samples only and may or may not apply to your particular circumstances. You are responsible for ensuring that the documents you file meet all of the statutory requirements applicable to your individual circumstances. Again, there is no substitute for the personalized legal advice that you may receive from a competent domestic relations attorney.

*The following disclaimer is set forth at the end of each sample form included in this packet and you should read it carefully before proceeding.*

**DISCLAIMER: THIS DOCUMENT IS A SAMPLE ONLY. It is 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 this sample document may or may not apply to your case and will need to be changed to reflect the specific facts and circumstances of your case. This form is 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 this form references 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 this sample form 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 be entitled legally.**

## **GENERAL REQUIREMENTS FOR A DIVORCE IN VIRGINIA**

Virginia allows two kinds of divorce – fault-based divorce and no-fault divorce. Fault-based divorces require that certain grounds exist at the time one party files for divorce. These include adultery, cruelty and abandonment, among others. A no-fault divorce is not based on these or any other grounds, but is based instead on the passage of time. The information set forth in this packet applies only to obtaining a no-fault divorce in Virginia. Circuit Court staff cannot and will not help you make a decision about whether you should seek a no-fault or fault-based divorce, or any differences that might exist between the two.

In order to obtain a no-fault divorce in Virginia, you or your spouse must have lived (resided) within Virginia for a minimum of six (6) months immediately prior to filing for divorce. In addition, either you or your spouse must be a domiciliary of the Commonwealth of Virginia, meaning you consider Virginia to be your home state at the time you file for divorce.

In addition, you and your spouse must have lived separately and apart, with no cohabitation, for a continuous period of time. If you do not have minor children, this period must be at least six (6) months prior to filing for divorce. Your Bill of Complaint (See Section IV) must clearly state that the date of separation was at least six (6) months prior to the filing date of the Complaint and you must have a Property Settlement Agreement. If you have minor children, you must have lived apart from your spouse for at least one (1) year before filing for divorce. Again your Bill of Complaint must clearly state a date of separation that is more than one year prior to the filing date of the Complaint.

## **FILING REQUIREMENTS IN THE CIRCUIT COURT OF ARLINGTON COUNTY**

Please carefully read and follow the filing instructions below to avoid processing delays or the rejection of documents required to be filed with the Court as part of any no-fault divorce.

- The Court will only accept filings of original documents. Copies, facsimile transmissions, or any electronic document will not be accepted for filing.
- Each document submitted to the Court must be typed and double-spaced on 8½ x 11 inch white paper, with 1-inch margins on all sides. Each document must contain your name, address, and a daytime phone number. You must also sign each document you submit.
- All submissions to the Court must be made at the proper time, in the appropriate order and format, and must be accompanied by the required fee. If any of the materials you submit to the Court do not comply with the Rules of the Supreme Court of Virginia, in either substance or form, you will be asked to correct the

problem and resubmit your documents. If you do not pay the required fees, your documents will be rejected.

- If your submission is incorrect or incomplete, a Circuit Court Judicial Law Clerk will notify you in writing of the issues to be corrected. It is your responsibility to correct any errors brought to your attention by one of the Law Clerks. Law Clerks cannot and will not give advice about your situation or help you with the preparation or correction of any of your documents.
- All documents must be submitted in person or by mail (faxes and email submissions will not be accepted) to the Clerk of the Circuit Court, Civil Division, Room 6700, 1425 North Courthouse Road, Arlington, Virginia 22201.

## DOCUMENTS NEEDED FOR A PRO SE DIVORCE

You must file the following documents in order to obtain a divorce in Virginia.

- (1) **Bill of Complaint:** This is the document that starts the divorce process. The Complaint informs the Court of necessary information regarding the parties and the reasons you are seeking a divorce. You must sign the document and your signature must be acknowledged before a Notary Public before it can be filed. Two sample Bills of Complaint are attached at **Appendix 1**.
- (2) **VS-4 Form:** This is a Vital Statistics form that is sent to the State Department of Vital Records by the Clerk's Office once your divorce is final. A VS-4 form is attached as **Appendix 2**.
- (3) **Proof of Service:** You must provide the Court with evidence that you have served your Bill of Complaint on your spouse. Proof of service includes: (i) evidence of personal service by a private process server or a Sheriff in Virginia; (ii) a Waiver of Service signed and notarized by your spouse, or (iii) a copy of a newspaper or other publication of general circulation giving public notice to your spouse that you are pursuing a divorce. A Waiver of Service form is attached as **Appendix 3**. This form is available at <http://www.courts.state.va.us/forms/circuit/cc1406.pdf>. This form must be signed and dated after the date on which your Complaint was actually filed in Circuit Court and must be notarized.
- (4) **Request for *Ore Tenus* Hearing:** This document is required to set your case for a hearing before the Court. All *ore tenus* hearing requests must be made in writing. A sample *Ore Tenus* request is attached as **Appendix 4**.
- (5) **Final Divorce Decree:** This document is the decree or order the Court will enter in the event you are granted a divorce. Two different sample Final Decrees are attached as **Appendix 5**.

(6) **Privacy Addendum:** This document is an attachment containing your Social Security number and that of your spouse. It must be separate from all other documents in order to protect your Social Security numbers from public disclosure. This document will be placed in a sealed envelope in the Court file marked CONFIDENTIAL and is not available to the public. An Addendum for Protected Identifying Information – Confidential is attached as **Appendix 6**. This form is available at <http://www.courts.state.va.us/forms/circuit/cc1426.pdf>.

(7) **Order for a Name Change:** A woman who is getting divorced who wishes to resume use of her maiden/family name must request a name change through the Court. A name change order may be submitted to the Court as part of the divorce process but it is not required. Only the spouse whose name will change may request that the Court enter such an order. An Adult Change of Name Order is attached as **Appendix 7**. This form is available at <http://www.courts.state.va.us/forms/circuit/cc1411.pdf>.

(8) **Property Settlement Agreement (PSA):** You are required to file a Property Settlement Agreement if you are filing for divorce on the basis of living separate and apart for six (6) months and you have no minor children. You may draft this document yourself or obtain the assistance of qualified domestic relations counsel to prepare one for you. The PSA details how you and your spouse intend to divide your property, as well as your decisions about support. Both parties must sign this document and have their signatures notarized. The Property Settlement Agreement must be executed before you file your Bill of Complaint for Divorce and it must be referenced in both the Bill of Complaint and the Final Decree of Divorce. A sample Property Settlement Agreement is attached as **Appendix 8**. ***Be advised that in signing a Property Settlement Agreement without the advice of competent counsel, you could unknowingly relinquish certain rights you may have to property acquired during the marriage or that you brought into the marriage.***

The Virginia Supreme Court has not approved any standard form documents for the Bill of Complaint, Request for *Ore Tenus* Hearing, Final Decree of Divorce, or Property Settlement Agreement, nor has it approved the samples contained in this packet. The sample forms attached as Appendices hereto are merely that, samples, and are not provided as, nor should they be relied upon as, legal advice. The sample forms included in this packet do not set forth all rights or obligations that may be applicable to your situation or exist under state law. Please be advised that every pleading is subject to acceptance or rejection by the Arlington Circuit Court based on whether the applicable statutory and procedural requirements pertaining to your particular case have been met. Use of these forms does not guarantee that the Court will grant your request for a divorce nor does it guarantee that you will receive all rights or benefits you may be entitled to under state law.



The Arlington Law Library does have various publications and Continuing Legal Education materials available that may be helpful in preparing the documents necessary for a no-fault divorce. The Library is located in the lobby of the Courthouse, 1425 N. Courthouse Road, Arlington, Virginia 22201 and is open Monday through Friday from 8:30 a.m. to 4:00 p.m. (except for court holidays or other emergency closings). Clerk's Office staff and Law Library staff cannot help you draft any required documents.

## **THE PROCESS**

There are very specific steps that you must follow in order to obtain a no-fault divorce in Virginia, based on either a six-month or one-year period of separation. Leaving out even one step, or not doing a step properly, may prevent you from moving forward. A brief outline of the necessary steps is set forth below.

### **A. Step One: Filing the Complaint, Arranging for a Summons, and Paying the Fees**

To start the divorce process, you begin by filing a Bill of Complaint. You must file your typed Complaint, along with one extra copy and the completed VS-4 form, in the Circuit Court Clerk's Office, 1425 N. Courthouse Road, Suite 6700, Arlington, VA, 22201. The Clerk's Office is open from 8:00 a.m. to 4:00 p.m. Monday through Friday (except Court holidays or other emergency closings.) The VS-4 form is available for you to fill out in the Clerk's Office. You must obtain an original form from the Clerk, fill it out completely (it can be typed or printed in ink), and sign it. This form must be in your file before your divorce can be finalized. You must provide all the information requested on the VS-4 form, including the middle name of both you and your spouse, and the legal grounds for the divorce (either six-month or one-year separation). If either you or your spouse does not have a middle name, you should write the letters "NMN" in the space where the middle name would otherwise be.

Once you file your Complaint, the Clerk will assign your case a civil case number (e.g., CL09-1234). This is the number the Court will use to refer to your case and you must put this number on the first page of every document you file with the Court. The Clerk will file-stamp the Complaint, showing the date it was filed and will prepare a Summons to be served on your spouse. It is your responsibility to make sure that a copy of the Complaint, the Summons, and any other documents you file in the case are served on your spouse.

You must also pay a filing fee in the amount of \$84 at the time you file your Complaint. The Clerk's Office accepts cash, checks made payable to the Clerk of the Arlington Circuit Court, money orders in the exact amount of the filing fee, and Visa or MasterCard credit cards. If you use a credit card, a four percent (4%) convenience fee will be added to the cost. Fees are subject to change and you

should check with the Civil Division of the Clerk's Office, 703-228-7010, prior to filing to determine the correct fee.

**B. Step Two: Service of the Complaint and Summons (Service of Process)**

You must serve a copy of the Complaint, Summons, and any other documents you file in the case on your spouse to formally notify him or her that you have filed for divorce. By law, you are not allowed to do this yourself. There are several ways to obtain "service." Pick the one that best fits your situation. If your papers are not served in one of the ways recognized by Virginia law, you cannot proceed with your divorce. As with all other aspects of a divorce, it is strongly recommended that you consult a competent domestic relations attorney to ensure that the manner in which you are serving documents on your spouse is one that is acceptable under Virginia law.

The following types of service are available under Virginia law:

- (1) **Sheriff's Office – In State.** If your spouse resides in Virginia, you may have the Complaint served by the Sheriff's Office. Service by the Sheriff costs \$12.00 (fees are subject to change and you should check with the Civil Division of the Clerk's Office, 703-228-7010 prior to filing to determine the correct fee). You must advise the Clerk at the time of filing that you would like service to be made by the Sheriff and pay the \$12.00 service fee to the Clerk. Once you have paid the service fee, the Clerk's Office will forward your papers to the Sheriff for service. It generally takes three (3) to four (4) weeks to obtain service in this way. The Clerk's Office accepts the same forms of payment for the service fee, namely cash, check made payable to the Clerk of the Circuit Court, money order for the exact amount, Visa or MasterCard credit cards.
- (2) **Sheriff's Office – Out of State.** If your spouse lives outside the Commonwealth of Virginia, you are responsible for contacting the Sheriff's Office of the jurisdiction where your spouse resides in order to find out the local regulations regarding service and any fees charged. You must provide the Arlington Circuit Court Clerk with a stamped, self-addressed envelope when you file your Complaint if you want the Clerk to mail the summons and other necessary documents to you, or you can request that you be called when the papers are ready to be picked up in the Clerk's Office. You will need to forward this paperwork, along with the appropriate fees, to the Sheriff in the jurisdiction in which your spouse resides in order to obtain service.
- (3) **Private Process.** You may hire a private company to serve the documents on your spouse. The Clerk's Office cannot recommend a company or provide you with telephone numbers or fees.

(4) **Acceptance of Service.** Your spouse may also choose to accept service by filing an Acceptance and Waiver Form with the Court. A sample is set forth in Appendix 2. This document must be signed by your spouse either in the Clerk's Office before a Deputy Clerk or the signature must be acknowledged before a Notary Public. In order for this form to be accepted by the Court, it must be signed and dated by your spouse after the date of the initial filing date of the Complaint, so be sure your spouse includes the date s/he signed the form.

(5) **Order of Publication.** If you are unable to obtain service by any of the above methods, then you may serve your spouse by publishing notice of the proceedings in a newspaper of general circulation, known as service by publication. Publication can be a difficult process and there are a number of steps that must be followed to properly obtain service in this manner. The Clerk's Office has a separate package called "Service by Publication," which you should consult before attempting service in this fashion. Please be aware that your remedies may be limited if you use this type of service.

If you serve the Complaint on your spouse using the methods described in numbered paragraphs one (1) through three (3) above, the individual who actually served the Complaint must file a Proof of Service and Acceptance with the Court. If your spouse waives service, the signed Acceptance and Waiver Form must be filed with the Clerk after the initial filing date. For service by publication, the newspaper running the notice will provide proof of service to the Court at the completion of the required notice period. Proof of service must be in the Court file before you will be able to proceed further in the case, regardless of the method of service you use.

Your spouse has twenty-one (21) days from the day s/he receives the Complaint to file a response (answer). If your spouse does not sign an Acceptance and Waiver Form, you must wait the full twenty-one (21) days before proceeding with your case. If your spouse contests the divorce, you may not proceed as an *ore tenus* case. Instead, the case will proceed in the Arlington Circuit Court as a contested divorce proceeding and the Virginia Supreme Court rules governing civil cases will apply. If you choose to represent yourself, the Court will expect you to be familiar with these Rules and act in compliance with them at all times during the proceedings. Your case will not be handled differently by the Court simply because you are representing yourself.

### **C. Step Three: Requesting an *Ore Tenus* Hearing before a Judge**

Once Proof of Service has been filed with the Court demonstrating that your spouse has accepted service of the Complaint, and either has not filed a response within twenty-one (21) days since the date of service or has signed a Waiver of Service, you may submit a letter to the Court requesting an *ore tenus* hearing. You must include with this written request an original signed version of your proposed Final Decree of Divorce for the Court to review.

Your entire case file will then be reviewed by a Judicial Law Clerk to ensure that it meets all the requirements set forth in the Virginia Code for a no-fault divorce. The Law Clerk will send you a letter indicating whether your request has been approved or denied. This process usually takes between three (3) and four (4) weeks from the time the Court receives the last piece of information, but it could take longer if your pleadings are incorrect or incomplete. Please do not contact the Clerk's Office to check on the status of your case until at least thirty (30) days after submission of all required documents.

You cannot schedule a date for an *ore tenus* hearing until the Court approves your request for such a hearing. If your request for a hearing is approved, you will be instructed to call the Circuit Court Judges' Chambers at 703-228-7000 within fourteen (14) days of receipt of the letter to schedule an *ore tenus* hearing. You must give your spouse notice of the hearing date at least seven (7) days in advance of the hearing, unless s/he has waived notice of any future proceedings. *Ore tenus* hearings are held weekly on Tuesdays and Wednesdays starting promptly at 9:30 a.m. on the tenth (10<sup>th</sup>) floor of the Courthouse.

If your request is denied, you will be given an opportunity to correct what you have filed, resubmit the documents, and request a new hearing. The letter denying your request will outline what information is either missing from your file or, if you have not filed something correctly, the information that needs to be corrected. If you submit revised documents, you will not be required to pay an additional filing fee.

#### **D. Step Four: The *Ore Tenus* Hearing**

At the hearing you will be required to present evidence to support every allegation in your Complaint for divorce. Sample *ore tenus* questions are set forth in **Appendix 9**. As with the sample form documents provided in this packet, these questions are samples only. Your decision to rely on them during your hearing or for purposes of deposition, as discussed more fully below, does not guarantee that the Court will have sufficient evidence to grant your divorce, nor does it guarantee the court will grant you a divorce.

Although the Judge might ask you and/or your witnesses questions to clarify certain points, it is not the Court's responsibility to ensure that you have presented the evidence required by law to obtain your divorce. If you fail to present evidence supporting your Complaint, you will not be granted a divorce.

You must have at least one (1) witness present who is able to confirm the allegations in your Bill of Complaint. Your witness can be anyone over the age of eighteen (18) even if that person is related to you; however, your witness cannot be your spouse.

You and your witness(es) should arrive at least twenty (20) minutes prior to the scheduled time of your hearing. After proceeding through security in the lobby of the Courthouse (please note that cell phones are not permitted in the building and you will not be allowed to enter with a cell phone), you should go to the 10th Floor and check the posted schedule to learn in which courtroom your hearing will be held. If notice was given to your spouse by publication, you must arrange for a court reporter to attend the hearing as well. If either you or any of your witnesses are unable to speak English well enough to testify, you must bring an interpreter with you. The Court does not provide interpreters for civil hearings. There are a number of private companies in the Northern Virginia area that provide court reporting or interpretation services and you will need to make arrangements directly with whichever company you choose to be present in court on the day of the hearing.

#### **E. Decrees Upon Deposition**

As an alternative to the *ore tenus* proceeding in open court, you may also proceed by deposition. Depositions may be: (1) taken orally in front of a court reporter and transcribed; or (2) submitted upon written questions acknowledged under oath and notarized. To obtain a decree upon deposition, you will still need at least one (1) witness, other than your spouse, who is over the age of eighteen (18) and who is able to confirm the allegations in your Bill of Complaint. As noted above, there are a number of private companies in the Northern Virginia area that provide court reporting services and you will need to make arrangements directly with whichever company you choose to conduct and transcribe the deposition.

You must serve your spouse with notice of the deposition, including the date, time and place, if the deposition is being taken by a court reporter. Depositions upon written questions must be under oath and notarized. Regardless of form, depositions must provide sufficient evidence and corroboration to support all necessary elements of, and grounds for, the divorce as set forth in your Bill of Complaint and Final Decree. Your questions must be specific and the answers, if written, must be clear and legible. Documents that are not legible will not be accepted.

Deposition transcripts or notarized affidavits must be filed with the Clerk's Office along with all other required documents. You must file a praecipe or notice at the time of filing the deposition documents, advising both your spouse and the Court that the matter is ready for review by the Court.

Upon receipt of the praecipe and transcripts, the file will be sent to Judges' Chambers for review by a law clerk. As with an *ore tenus* request, if your request for a decree upon deposition is denied due to a deficiency in the pleadings you have filed, you will be given an opportunity to correct what you have filed and resubmit the documents. The letter denying your request will outline what information is either missing from your file or, if you have not filed something correctly, the information

that needs to be corrected. If you submit revised documents, you will not be required to pay an additional filing fee.

If the deposition testimony you submit does not provide the court with sufficient evidence to support your request for divorce, a law clerk will send you a letter explaining what evidence is missing. You will then have to appear in court for an *ore tenus* hearing and present any additional evidence required. You will be instructed to call the Circuit Court Judges' Chambers at 703-228-7000 within fourteen (14) days of receipt of the letter to schedule the *ore tenus* hearing. You must give your spouse notice of the hearing date at least seven (7) days in advance of the hearing, unless s/he has waived notice of any future proceedings.

## CONCLUSION

Obtaining a divorce in Virginia can be a complicated process. For this reason, you are strongly encouraged to consult with a competent domestic relations attorney before filing for divorce to ensure that you know and fully understand your rights and responsibilities. **Nothing in this packet is intended to be, nor should you rely on it as, a substitute for the advice that can be provided by competent legal counsel.**

The requirements for obtaining a divorce are established by the Virginia General Assembly and are subject to change. Before filing for divorce, you should become familiar with the many statutes that govern divorce proceedings, including laws relating to support, custody, the distribution of property, and other issues. **Under no circumstances will the Arlington Circuit Court Clerk's Office or anyone contributing to the production of this information packet assume any liability for any direct, indirect, or consequential damages that may occur as a result of its use.**

## APPENDIX 1.A

### SAMPLE COMPLAINT FOR DIVORCE BASED ON A SIX (6) MONTH SEPARATION AND THE PARTIES HAVE NO CHILDREN

VIRGINIA:

IN THE CIRCUIT COURT FOR ARLINGTON COUNTY

\_\_\_\_\_ [your full name]  
Plaintiff

v. CL No. \_\_\_\_\_

\_\_\_\_\_ [your spouse's full name]  
Defendant

SERVE: \_\_\_\_\_ [Full Name of Defendant/spouse]  
\_\_\_\_\_ [Complete Address of Defendant/spouse]

#### COMPLAINT FOR DIVORCE

Comes now your Plaintiff, [insert your name here] and states:

1. The parties were married on the \_\_\_ day of \_\_\_\_\_ [month], \_\_\_\_\_ [year] in the (City/County) of \_\_\_\_\_, in the State of \_\_\_\_\_;
2. There are no children born or adopted of this marriage under the age of 18 years;
3. (Plaintiff/Defendant) is domiciled in, and is and has been an actual bona fide resident of the Commonwealth of Virginia for at least six (6) months immediately before bringing this suit;
4. Both parties are over the age of 18 years, and neither is an active member of the military service of the United States [If the Defendant is in the military, he/she must sign a Service member's Civil Relief Act Waiver];
5. The parties have lived separate and apart without cohabitation and without interruption for more than six months, since \_\_\_\_\_ [month], \_\_\_\_\_ [day] \_\_\_\_\_ [year]; and
6. There is no hope or possibility of reconciliation between the parties.
7. At the time of the separation, it was the intent of at least one of the parties that the separation be permanent, and this intent continues to the present.

8. The parties have entered into a Property Settlement Agreement dated \_\_\_\_\_ [day] \_\_\_\_\_ [month], \_\_\_\_\_ [year].

WHEREFORE, Plaintiff prays as follows:

That (he/she) be granted a divorce from the bond of matrimony on the ground that the parties have lived separate and apart without cohabitation and without interruption for more than six months, since \_\_\_\_\_ [month] \_\_\_\_\_ [day], \_\_\_\_\_ [year]; and

That the Property Settlement Agreement dated \_\_\_\_\_ [month] \_\_\_\_\_ [day], \_\_\_\_\_ [year] be incorporated but not merged into the Final Order of Divorce; and

That the Plaintiff's name be restored to \_\_\_\_\_ [Plaintiff's full maiden/family name, if desired. ONLY the party whose name would change may request a name restoration, the other party cannot ask to alter the other party's name].

I ASK FOR THIS:

\_\_\_\_\_ [your signed name]

[Type your full name]

[Type your complete address]

[Type your daytime phone number]

**DISCLAIMER: THIS DOCUMENT IS A SAMPLE ONLY. It is 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 this sample document may or may not apply to your case and will need to be changed to reflect the specific facts and circumstances of your case. This form is 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 this form references 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 this sample form 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 be entitled legally.**



## APPENDIX 1.B

### SAMPLE COMPLAINT FOR A DIVORCE BASED ON A ONE (1) YEAR SEPARATION WHERE THE PARTIES HAVE CHILDREN BORN OR ADOPTED DURING THE MARRIAGE.

VIRGINIA:

IN THE CIRCUIT COURT FOR ARLINGTON COUNTY

\_\_\_\_\_ [your full name]  
Plaintiff

v. CL No. \_\_\_\_\_

\_\_\_\_\_ [your spouse's full name]  
Defendant

SERVE: \_\_\_\_\_ [Full Name of Defendant/spouse]  
\_\_\_\_\_ [Complete Address of Defendant/spouse]

#### COMPLAINT FOR DIVORCE

Comes now your Plaintiff, [insert your name here] and states:

1. The parties were married on the \_\_\_ day of \_\_\_\_\_ [month], \_\_\_\_\_ [year] in the (City/County) of \_\_\_\_\_, in the State of \_\_\_\_\_;
2. There are (number) \_\_\_ children born or adopted of this marriage under the age of 18 years;
3. The minor children are (name and date of birth for each);
4. (Plaintiff/Defendant) is domiciled in, and is and has been an actual bona fide resident of the Commonwealth of Virginia for at least six (6) months immediately before bringing this suit;
5. Both parties are of sound mind, over the age of 18 years, and neither is an active member of the military service of the United States [If the Defendant is in the military, he/she must sign a Service member's Civil Relief Act Waiver];
6. The parties have lived separate and apart without cohabitation and without interruption for more than one year, since \_\_\_\_\_ [month], \_\_\_\_\_ [day] \_\_\_\_\_ [year]; and
7. At the time of the separation, it was the intent of at least one of the parties that the separation be permanent, and this intent continues to the present.

8. There is no hope or possibility of reconciliation between the parties.  
(If child or spousal support is sought, insert a statement stating the relief requested.)

WHEREFORE, Plaintiff prays as follows:

That (he/she) be granted a divorce from the bond of matrimony on the ground that the parties have lived separate and apart without cohabitation and without interruption for more than one year, since \_\_\_\_\_ [month] \_\_\_\_\_ [day – if you do not remember the exact day, use the last day of the month you just listed], \_\_\_\_\_ [year]; and

That the Plaintiff's name be restored to \_\_\_\_\_ [Plaintiff's full maiden/family name, if desired. ONLY the party whose name would change may request a name restoration, the other party cannot ask to alter the other party's name].

I ASK FOR THIS:

\_\_\_\_\_ [your signed name]

[Type your full name]

[Type your complete address]

[Type your daytime phone number]

**DISCLAIMER: THIS DOCUMENT IS A SAMPLE ONLY. It is 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 this sample document may or may not apply to your case and will need to be changed to reflect the specific facts and circumstances of your case. This form is 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 this form references 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 this sample form 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 be entitled legally.**

# APPENDIX 2

Original form must be completed.  
 For a copy of the form, visit:  
 Arlington Circuit Court  
 1425 N. Courthouse Rd.  
 Suite 6700  
 Arlington, VA 22201

## COMMONWEALTH OF VIRGINIA – REPORT OF DIVORCE OR ANNULMENT

Department of Health – Division of Vital Records – Richmond

NOTE:  
 ITEMS 1-24 ON THIS  
 FORM TO BE  
 COMPLETED BY  
 PETITIONER OR  
 ATTORNEY AND FILED  
 WITH CLERK OF COURT  
 WITH PETITION OR  
 DECREE

1. CIRCUIT COURT FOR CITY OR COUNTY OF _____			STATE FILE NUMBER _____		
2. FULL NAME _____				2A. SOCIAL SECURITY NUMBER _____	
HUSBAND	3. PLACE OF BIRTH (state or foreign country) _____		4. DATE OF BIRTH _____		
	5. RACE _____	6. NUMBER OF THIS MARRIAGE (first, second, etc.) _____	7. EDUCATION (Specify only highest grade completed) Elementary or Secondary (0-12) _____	College (1-4 or 5+) _____	
	8. USUAL RESIDENCE (street no. or rural route number) _____ (city or town) _____ (county- if not independent city) _____ (state) _____				
9. FULL MAIDEN NAME _____				9A. SOCIAL SECURITY NUMBER _____	
WIFE	10. PLACE OF BIRTH (state or foreign country) _____		11. DATE OF BIRTH _____		
	12. RACE _____	13. NUMBER OF THIS MARRIAGE (first, second, etc.) _____	14. EDUCATION (Specify only highest grade completed) Elementary or Secondary (0-12) _____	College (1-4 or 5+) _____	
	15. USUAL RESIDENCE (street no. or rural route number) _____ (city or town) _____ (county- if not independent city) _____ (state) _____				
16. PLACE OF MARRIAGE (city or town) _____ (county) _____ (state or foreign country) _____			17. DATE OF MARRIAGE _____		
18. NUMBER OF CHILDREN UNDER 18 IN THIS FAMILY _____		19. NUMBER OF CHILDREN UNDER 18 IN THIS FAMILY WHOSE PHYSICAL CUSTODY WAS AWARDED TO: Husband _____ Wife _____ Joint (Husband/Wife) _____ Other _____ <input type="checkbox"/> No Children		20. DATE OF SEPARATION _____	
21. PLAINTIFF <input type="checkbox"/> HUSBAND <input type="checkbox"/> WIFE <input type="checkbox"/> BOTH					
22. DIVORCE GRANTED TO <input type="checkbox"/> HUSBAND <input type="checkbox"/> WIFE <input type="checkbox"/> BOTH		23. LEGAL GROUND OR CAUSE OF DIVORCE (if annulment - so state) _____			
24. INFORMANT'S SIGNATURE _____		<input type="checkbox"/> PETITIONER <input type="checkbox"/> ATTORNEY FOR PETITIONER			
NAME OF INFORMANT (Type or Print) _____			ADDRESS OF INFORMANT _____		
I CERTIFY THAT A FINAL DECREE OF _____ WAS ENTERED _____ CONCERNING THE ABOVE (divorce or annulment) (date of divorce or annulment) MARRIAGE AND WAS NUMBERED _____ (court file number)					
(SEAL)			SIGNATURE OF CLERK OF COURT OR DEPUTY _____		
			NAME OF CLERK OR DEPUTY (Type or Print) _____		

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

# APPENDIX 3

## 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

\_\_\_\_\_ PLAINTIFF v. \_\_\_\_\_ 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
  - 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. any further service of process.
  - b. notice of the appointment of a commissioner in chancery and hearings held by such commissioner in chancery, if a commissioner in chancery is appointed.
  - c. notice of the taking of depositions.
  - d. notice of the filing of any reports by a commissioner in chancery of the filing of depositions.
  - e. notice of testimony to be given orally in open court.
  - f. notice of entry of any order, judgment or decree, including the final decree of divorce.

I understand that, by waiving service of process, I am giving up my right to be notified of the events described immediately 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. \_\_\_\_\_

## APPENDIX 4

### SAMPLE REQUEST FOR *ORE TENUS* HEARING

VIRGINIA:

IN THE CIRCUIT COURT FOR ARLINGTON COUNTY

\_\_\_\_\_ [your full name]  
Plaintiff

v. CL No. \_\_\_\_\_

\_\_\_\_\_ [your spouse's full name]  
Defendant

### REQUEST FOR *ORE TENUS* HEARING

I, \_\_\_\_\_ [Plaintiff's Name], hereby requests that this matter be set for an *ore tenus* hearing as all issues in this case are totally uncontested.

I ASK FOR THIS:

\_\_\_\_\_ [your signed name]  
[Type your full name]  
[Type your complete address]  
[Type your daytime phone number]

Attachments:

PSA \_\_\_\_\_ Final Decree \_\_\_\_\_ Name Change Order \_\_\_\_\_

**DISCLAIMER: THIS DOCUMENT IS A SAMPLE ONLY. It is 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 this sample document may or may not apply to your case and will need to be changed to reflect the specific facts and circumstances of your case. This form is 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 this form references 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 this sample form 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 be entitled legally.**

## APPENDIX 5.A

### SAMPLE FINAL DECREE FOR A DIVORCE BASED ON LIVING SEPARATE AND APART FOR SIX (6) MONTHS WITH NO CHILDREN AND A PROPERTY SETTLEMENT AGREEMENT.

VIRGINIA:

IN THE CIRCUIT COURT FOR ARLINGTON COUNTY

\_\_\_\_\_ [your full name]  
Plaintiff

v. CL No. \_\_\_\_\_

\_\_\_\_\_ [your spouse's full name]  
Defendant

#### FINAL ORDER OF DIVORCE

This cause, which has been regularly docketed, matured, and set for hearing by the Plaintiff, came on this day, upon proof of proper and legal service of process upon the Defendant; upon the testimony of the Plaintiff at an *ore tenus* hearing and the corroboration of that testimony, and proper and legal notice filed in accordance with law;

Upon consideration whereof the Court finds from the evidence, independent of any admissions of the parties in pleadings or otherwise, the following facts:

1. The parties were married on the \_\_\_\_ day of \_\_\_\_\_ [month], \_\_\_\_\_ [year] in the (City/County) of \_\_\_\_\_, State of \_\_\_\_\_;
2. There are no children born or adopted of this marriage under the age of 18 years;
3. (Plaintiff/Defendant) is domiciled in and is and has been an actual bona fide resident of the Commonwealth of Virginia for at least six (6) months immediately before bringing this suit;
4. Both parties are over the age of 18 years, and neither is an active member of the military service of the United States;
5. The Plaintiff's Social Security number and the Defendant's Social Security number are in the Privacy Addendum attached to the Final Decree;

6. The parties have lived separate and apart without cohabitation and without interruption for more than six months, since \_\_\_\_\_ [month] \_\_\_\_\_ [day – if you do not remember the exact day, use the last day of the month you just listed], \_\_\_\_\_ [year]; and
7. At the time of the separation, it was the intent of at least one of the parties that the separation be permanent, and this intent continues to the present.
8. There is no hope or possibility of reconciliation between the parties.
9. The parties have entered into a Property Settlement Agreement dated \_\_\_\_\_ [day] \_\_\_\_\_ [month], \_\_\_\_\_ [year]; it is therefore, and it is

ADJUDGED, ORDERED and DECREED that the Property Settlement Agreement dated \_\_\_\_\_ [month] \_\_\_\_\_ [day], \_\_\_\_\_ [year], be and the same is hereby affirmed, ratified and incorporated, but not merged herein; and it is further

ADJUDGED, ORDERED, and DECREED that the Plaintiff be and the same is hereby granted a divorce a vinculo matrimonii from the Defendant on the ground that the parties have lived separate and apart without cohabitation and without interruption for more than six months, since \_\_\_\_\_ [month] \_\_\_\_\_ [day], \_\_\_\_\_ [year]; and it is further

And nothing further remaining to be done herein, it is ORDERED that this cause is stricken from the docket and the papers placed among the ended cases.

ENTERED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
 Judge  
 Circuit Court of Arlington County

I ASK FOR THIS:

\_\_\_\_\_ [your signature]

[Type your name]

[Type your address]

[Type your phone number]

SEEN AND AGREED:

\_\_\_\_\_ [your spouse's signature]

[Type spouse's name]

[Type spouse's address]

[Type spouse's phone number]

*[Defendant's signature is required unless notice of the presentation of this Final Decree of Divorce to the court for entry has been given or waived as provided by law. The Defendant's signature is not required if (a) he/she signed a Waiver or Acceptance of Service and has not filed an Answer, (b) he/she was served by publication and has not entered an appearance, or (c) the Defendant has executed and filed a Waiver of Notice.]*

**The following paragraphs must be included only if spousal support is awarded/agreed to in the PSA or the Final Decree. You should only include the paragraphs if they are appropriate to your situation.**

ADJUDGED, ORDERED and DECREED that in accordance with the provisions of Section 20-107.1(H) of the 1950 Code of Virginia, as amended:

10. The following information is provided for the parties:

Plaintiff Name: \_\_\_\_\_  
Residential Address: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Date of Birth: \_\_\_\_\_  
Soc. Sec. No.: In the Privacy Addendum

Employer: \_\_\_\_\_  
Employer's Address: \_\_\_\_\_  
Work Phone No.: \_\_\_\_\_  
Driver License No.: In the Privacy Addendum

Defendant Name: \_\_\_\_\_  
Residential Address: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Date of Birth: \_\_\_\_\_  
Soc. Sec. No.: In the Privacy Addendum

Employer: \_\_\_\_\_  
Employer's Address: \_\_\_\_\_  
Work Phone No.: \_\_\_\_\_  
Driver License No.: In the Privacy Addendum

11. The (Plaintiff/Defendant), \_\_\_\_\_, [full name of person paying support] has a duty to pay spousal support in the monthly amount of \$ \_\_\_\_\_ [dollar amount of how much support will be paid each month] to the \_\_\_\_\_ (Plaintiff/Defendant), due every month, with the first payment due on \_\_\_\_\_ [month] \_\_\_\_\_ [day] \_\_\_\_\_ [year] [date payment starts];



12. The Order of this Court as to health care coverage for spouse or former spouse is as follows: (List in this notice any agreement you may have as to health care coverage). The \_\_\_\_\_ (Plaintiff/Defendant) is to provide at \_\_\_\_\_ (his/her) expense adequate hospitalization and major medical insurance for the benefit of \_\_\_\_\_ [list name of the spouse to be covered by insurance]. Such coverage is currently provided through \_\_\_\_\_ [name of insurance company], policy number \_\_\_\_\_;
13. No support arrearage currently exists. [*If there are support arrearages, list the amount of the arrearages.*];
14. Notice is hereby given that the parties shall give each other and the court 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; and
15. Notice is hereby given that in determination of a support obligation, the support obligation as it becomes due and unpaid creates a judgment by operation of law.

**DISCLAIMER: THIS DOCUMENT IS A SAMPLE ONLY. It is 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 this sample document may or may not apply to your case and will need to be changed to reflect the specific facts and circumstances of your case. This form is 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 this form references 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 this sample form 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 be entitled legally.**

## APPENDIX 5.B

### SAMPLE FINAL DECREE OF DIVORCE BASED ON ONE-YEAR SEPARATION, WHERE ONE PARTY IS OBLIGATED TO PAY CHILD SUPPORT AND/OR SPOUSAL SUPPORT TO THE OTHER, CHILD CUSTODY AND VISITATION ARE ADDRESSED, AND THERE IS A PROPERTY SETTLEMENT AGREEMENT.

VIRGINIA:

IN THE CIRCUIT COURT FOR ARLINGTON COUNTY

\_\_\_\_\_ [your full name]  
Plaintiff

v. CL No. \_\_\_\_\_

\_\_\_\_\_ [your spouse's full name]  
Defendant

#### FINAL ORDER OF DIVORCE

This cause, which has been regularly docketed, matured, and set for hearing by the Plaintiff, came on this day, upon proof of proper and legal service of process upon the Defendant; upon the testimony of the Plaintiff at an *ore tenus* hearing and the corroboration of that testimony, and proper and legal notice filed in accordance with law;

Upon consideration whereof the Court finds from the evidence, independently of any admissions of the parties in pleadings or otherwise, the following facts:

1. The parties were lawfully married on the \_\_\_\_ day of \_\_\_\_\_ [month], \_\_\_\_\_ [year] in the (City/County) of \_\_\_\_\_, in \_\_\_\_\_ [state];
2. There (is/are) \_\_\_\_ [number] child(ren) born of the marriage or adopted by the parties who is/are under the age of 18 years, namely:  
\_\_\_\_\_; [list all children's names and their ages];  
[OR] There are no children born or adopted of this marriage under the age of 18 years;
3. Plaintiff /Defendant is and has been an actual bona fide resident and domiciliary of the Commonwealth of Virginia for at least six (6) months immediately before bringing this suit;
4. Both parties are over the age of 18 years, and neither is, or has been, an active duty member of the military service of the United States since the filing of the Complaint in this case;

5. The Plaintiff's Social Security number is (See Privacy Addendum), and the Defendant's Social Security number is (See Privacy Addendum). The parties have lived separate and apart without any cohabitation and without interruption for more than one year, since \_\_\_\_\_ [month] \_\_\_\_\_[day], \_\_\_\_ [year];
6. The parties have lived separate and apart without cohabitation and without interruption for more than one year, since \_\_\_\_\_ [month] \_\_\_\_\_[day – if you do not remember the exact day, use the last day of the month you just listed], \_\_\_\_\_[year]; and
7. At the time of the separation, it was the intent of at least one of the parties that the separation be permanent, and this intent continues to the present.
8. There is no hope or possibility of reconciliation between the parties; and
9. The parties have entered into a Separation Agreement dated \_\_\_\_\_ [day] \_\_\_\_\_ [month], \_\_\_\_\_ [year]; it is therefore,

ADJUDGED, ORDERED, and DECREED that the Plaintiff is hereby granted a divorce, *a vinculo matromonii* from the Defendant on the ground that the parties have lived separate and apart without any cohabitation and without interruption for more than one year, since \_\_\_\_\_ [month] \_\_\_\_\_[day], \_\_\_\_\_ [year]; and it is further

ADJUDGED, ORDERED and DECREED that the Separation Agreement dated \_\_\_\_\_ [month] \_\_\_\_\_[day], \_\_\_\_\_ [year], be and the same is hereby affirmed, ratified and incorporated, but not merged herein; and it is further

ADJUDGED, ORDERED and DECREED that in accordance with the provisions of Section 20.124.5 of the 1950 Code of Virginia, as amended:

Custody and Visitation: [insert terms of the custody agreement];

Either party who intends to relocate his or her residence shall give thirty (30) days advance written notice of any such intended relocation and of any intended change of address, said notice being given to both the other party and to this Court; and it is further

ADJUDGED, ORDERED and DECREED that in accordance with the provisions of Section 20.60.3 and 20-107.1(H) of the 1950 Code of Virginia, as amended:

SUPPORT: A duty of support is owed to: \_\_\_\_\_ [list the name, date of birth, and last four digits of the social security number of each child and/or spouse for whom a duty of support exists]. The party responsible for paying support is: \_\_\_\_\_ [give name of party who will be paying the support, the Plaintiff and/or the Defendant]

The following information is provided for the parties:

Plaintiff Name: \_\_\_\_\_  
Residential Address: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Date of Birth: \_\_\_\_\_  
Soc. Sec. No.: In the Privacy Addendum

Employer: \_\_\_\_\_  
Employer's Address: \_\_\_\_\_  
Work Phone No.: \_\_\_\_\_  
Driver License No.: In the Privacy Addendum

Defendant Name: \_\_\_\_\_  
Residential Address: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Date of Birth: \_\_\_\_\_  
Soc. Sec. No.: In the Privacy Addendum

Employer: \_\_\_\_\_  
Employer's Address: \_\_\_\_\_  
Work Phone No.: \_\_\_\_\_  
Driver License No.: In the Privacy Addendum

Notice is hereby given that support payments may be withheld as they become due pursuant to Section 20-79.1 or Section 20-79.2 of the 1950 Code of Virginia, as amended, from income as defined in Section 63.2-1900 of the 1950 Code of Virginia, as amended, and without further amendments of this Order and Decree or having to file an application for services with the Department of Social Services;

Notice is hereby given that support payments may be withheld pursuant to Chapter 19 Section 63.2-1900, et seq. of Title 63.2 of the 1950 Code of Virginia, as amended, without further amendments to this Order and Decree upon application for services with the Department of Social Services.

Notice is hereby given 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 of the 1950 Code of Virginia as amended, interest shall accrue on the arrearage at the judgment rate as established by Section 6.1-330.54 unless the obligee, in a writing submitted to the court, waives the collection of interest.

Notice is hereby given that on and after July 1, 1994, the Department of Social Services may, pursuant to Chapter 19 of Title 63.2 of the 1950 Code of Virginia, as amended, and in accordance with Section 20-108.2 and Section 63.2-1921 of the 1950 Code of Virginia, as amended, initiate a review of the amount of support ordered by any Court.

Notice is hereby given 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 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.

Notice is hereby given that a petition may be filed for the suspension of any license, certificate, registration or other authorization to engage in a profession, trade, business, occupation, or recreational activity issued by the Commonwealth of Virginia to a parent upon a delinquency for a period of ninety (90) days or more or in the amount of \$5,000.00 or more. The following party(ies) hold(s) the following license(s): \_\_\_\_\_ [list any license(s) either party may hold or if neither party holds a license, clearly state so in the paragraph above].

CHILD SUPPORT: The (Plaintiff/Defendant) [whoever is paying support], \_\_\_\_\_ [full name of person paying support], is ordered to pay child support in the monthly amount of \$ \_\_\_\_\_ [dollar amount how much support will be paid each month] on behalf of \_\_\_\_\_ [give name(s) of child(ren) support is paid for] to the (Plaintiff/Defendant), due on or before the day of every month, commencing on \_\_\_\_\_ [month] \_\_\_\_\_ [day] \_\_\_\_\_ [year] [this is the date support payment starts] and continuing until the earliest to occur of: (i) the death of either party, (ii) the child reaches the age of 18 (unless a provision of paragraph 5 above governs), or (iii) further order of this Court;

Pursuant to Section 20-124.2 of the 1950 Code of Virginia as amended, support shall 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 the continuation of support for any child over the age of 18 who is (a) severely and permanently mentally or physically disabled, (b) unable to live independently and support himself, and (c) residing in the home of the parent seeking or receiving child support.

If at any time child support payments are ordered to be paid through the Department of Social Services or directly to \_\_\_\_\_ [name of party to whom support is paid], 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 thirty (30) days written notice, in advance, of any change of address and any change of telephone number within thirty (30) days after the change.

If at any time child support payments are ordered to be paid through the Department of Social Services, \_\_\_\_\_ [name of party paying support] shall keep the Department of Social Services informed of the name, address, and telephone number of (his or her) current employer, or if at any time payments are ordered to be paid directly to \_\_\_\_\_ [name of party to whom support is paid], \_\_\_\_\_ [name of party paying support] shall keep the Court informed of the name, address and telephone number of (his or her) current employer;

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

**SPOUSAL SUPPORT:** The (Plaintiff/Defendant) [whoever is paying] \_\_\_\_\_ [full name of person paying support], is ordered to pay spousal support in the monthly amount of \$ \_\_\_\_\_ [dollar amount of how much support to be paid each month] to the (Plaintiff/Defendant) [whoever is paying], due on or before the day of every month, commencing on \_\_\_\_\_ [month] \_\_\_\_\_ [day] \_\_\_\_\_ [year] [insert the date payment starts] and continuing until the earliest to occur of: (i) the death of either party; (ii) the remarriage of the recipient; (iii) the cohabitation of the recipient with another person, as defined in Section 20-109.A, 195- Code of Virginia as amended; or (iv) until further order of this Court.

#### **HEALTH CARE COVERAGE:**

**FOR CHILDREN:** The Order of this Court as to health care coverage for each child is as follows: [List in any agreement you may have as to health care for the children from your PSA or, if true, a written statement that health care coverage cannot be obtained at a reasonable cost.]

**FOR SPOUSE OR FORMER SPOUSE:** Health care coverage (i) is not required by this Order for a spouse or former spouse; OR (ii) shall be provided by [name of party providing health insurance] for the spouse or former spouse [name], through [name of insurance company]. [Choose either (i) OR (ii).]

ARREARAGES:

CHILD SUPPORT ARREARAGES:

- (i) No child support arrearages exist as of the date of this Order. [If arrearages presently exist, they will be deemed to be forever waived.], or
- (ii) The (Plaintiff/Defendant), \_\_\_\_\_ [full name of person paying support] owes child support arrearages to \_\_\_\_\_ [name of the party to whom child support is paid], in the total amount of \$\_\_\_\_\_ [total dollar amount of arrearages] for the period between [start of time period for which arrearage is calculated] and [end of time period for which arrearage is calculated]. At any time that support arrearages should exist, all payments made are to be credited to current support obligations first, with any payment in excess of the current obligation applied to the arrearage. [Choose either (i) OR (ii)—NOT BOTH.]
- (iii) 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.

SPOUSAL SUPPORT ARREARAGES:

- (i) No spousal support arrearages exist as of the date of this Order. [If arrearages presently exist, they will be deemed to be forever waived.] or
- (ii) The (Plaintiff/Defendant), \_\_\_\_\_ [full name of person paying support], owes spousal support arrearages in the total amount of \$\_\_\_\_\_ [total dollar amount of arrearages] for the period between \_\_\_\_\_ [start of time period for which arrearage is calculated] and [end of time period for which arrearage is calculated]. At any time that support arrearages should exist, all payments made are to be credited to current support obligations first, with any payment in excess of the current obligation applied to the arrearage. [Choose either (i) OR (ii)—NOT BOTH.]

And nothing further remaining to be done herein, it is ORDERED that this cause is stricken from the docket and the papers placed among the ended cases.

ENTERED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Judge  
Circuit Court of Arlington County

I ASK FOR THIS:

\_\_\_\_\_ [your signature]

Plaintiff, pro se

[Type your name]

[Type your address]

[Type your phone number]

\_\_\_\_\_ [Defendant's signature]

Defendant [pro se – if applicable]

*[Defendant's signature is required unless notice of the presentation of this Final Decree of Divorce to the court for entry has been given or waived as provided by law. The Defendant's signature is not required if (a) he/she signed a Waiver or Acceptance of Service and has not filed an Answer, (b) he/she was served by publication and has not entered an appearance, or (c) the Defendant has executed and filed a Waiver of Notice.]*

**DISCLAIMER: THIS DOCUMENT IS A SAMPLE ONLY. It is 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 this sample document may or may not apply to your case and will need to be changed to reflect the specific facts and circumstances of your case. This form is 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 this form references 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 this sample form 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 be entitled legally.**



# APPENDIX 6

## ADDENDUM FOR PROTECTED IDENTIFYING INFORMATION— CONFIDENTIAL

Case No. \_\_\_\_\_

Commonwealth of Virginia

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)

\_\_\_\_\_  
.....  
ADDRESS

\_\_\_\_\_  
.....  
SOCIAL SECURITY NUMBER

\_\_\_\_\_  
.....  
DATE OF BIRTH

\_\_\_\_\_  
.....  
PARTY NAME (LAST, FIRST, MIDDLE)

\_\_\_\_\_  
.....  
ADDRESS

\_\_\_\_\_  
.....  
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

# APPENDIX 7

## APPLICATION FOR CHANGE OF NAME (ADULT)

Commonwealth of Virginia

VIRGINIA: In the Circuit Court of the  City  County of \_\_\_\_\_

IN RE: \_\_\_\_\_  
(APPLICANT'S NAME) FIRST MIDDLE LAST SUFFIX

COMES NOW, the applicant, \_\_\_\_\_

and after being duly sworn states under oath as follows:

1. Applicant's Birth Name: \_\_\_\_\_  
FIRST MIDDLE LAST SUFFIX

2. Residence Address: \_\_\_\_\_  
STREET ADDRESS  
CITY STATE ZIP CODE COUNTRY

3. Mailing Address: \_\_\_\_\_  
IF DIFFERENT FROM RESIDENCE ADDRESS

4a. Date of Birth: \_\_\_\_\_ 4b. Place of Birth: \_\_\_\_\_

5. Father's Full Name: \_\_\_\_\_  
FIRST MIDDLE LAST SUFFIX

6. Mother's Full Name: \_\_\_\_\_  
FIRST MIDDLE MAIDEN CURRENT LAST

Answer the following questions by checking appropriate "Yes" or "No" box and providing information as requested.

7. Have you ever been convicted of a felony? .....  Yes  No

8. Are you currently incarcerated? \*\* .....  Yes  No

If yes, indicate facility name: \_\_\_\_\_

Facility Location: \_\_\_\_\_

9. Are you a probationer with any court? \*\* .....  Yes  No

If yes, indicate court name: \_\_\_\_\_

10. Have you previously changed your name either by a prior application or by marriage? .....  Yes  No  
(If yes, attach court order or other documentation and indicate previous names):  
\_\_\_\_\_

**\*\* Applications of probationers and incarcerated persons MAY be accepted if the Court finds good cause exists for such application. Attach explanatory documentation to the application.**

WHEREFORE, the undersigned applicant further certifies under oath that this name change is not sought for any fraudulent purposes and will not infringe upon the rights of others, and pursuant to § 8.01-217 of the Code of Virginia, 1950, as amended, the applicant requests that the Court order a change of name from:

.....	.....	.....	.....
FIRST	MIDDLE	LAST	SUFFIX
		to	
.....	.....	.....	.....
FIRST	MIDDLE	LAST	SUFFIX

\_\_\_\_\_  
APPLICANT

Commonwealth/State of .....

City  County of .....

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

by .....

.....  
DATE

\_\_\_\_\_  
 CLERK  DEPUTY CLERK  
 NOTARY PUBLIC My commission expires .....  
Registration No. ....

## APPENDIX 8

### SAMPLE PROPERTY SETTLEMENT AGREEMENT (NO REAL PROPERTY OR SPOUSAL SUPPORT CLAIMED)

THIS AGREEMENT, made this \_\_\_\_\_ day of \_\_\_\_\_ [month], \_\_\_\_\_ [year], between \_\_\_\_\_ [Plaintiff's name], herein after referred to as the "(Husband/Wife)", and \_\_\_\_\_ [Defendant's name], herein after referred to as the "(Husband/Wife)."

WITNESSETH:

WHEREAS, the parties hereto were duly married in \_\_\_\_\_ [city], \_\_\_\_\_ [state] on \_\_\_\_\_ [day, month, and year of marriage]; and

WHEREAS, there are no children born to or adopted by the marriage who is under the age of 18 and none are expected; and

WHEREAS, the parties, in consequence of disputes and irreconcilable differences, have voluntarily agreed to and did separate from each other on \_\_\_\_\_ [date of separation], and are now living separate and apart from each other, and have voluntarily and mutually agreed to continue to live separate and apart; and

WHEREAS, each party has been advised of his/her rights to obtain full disclosure of the other party's financial condition, including income, expenses, assets, liabilities, and assets transferred, and have obtained full and satisfactory disclosure of such; and

WHEREAS, the parties desire to settle their financial, property, and other rights and obligations arising out of the marriage and otherwise.

NOW, THEREFORE, in consideration of the mutual promises and agreements herein contained, the parties hereto agree as follows:

1. Real Property: The parties acknowledge that there are no real properties to be divided between the parties;
2. Personal Property: The parties acknowledge that they will make a division and settlement of their personal property and personal effects. Each party shall own, have and enjoy, free of any right or claim of the other party, all property hereafter acquired by such party.
3. Responsibility for Debts: Each party represents and warrants that he or she, as the case may be, has not incurred or contracted any debts or obligations for which the other or any property of the other may be liable, either individually or

jointly. Each party agrees that he or she shall be solely responsible for the payment and performances of all debts and obligations presently in his or her respective name and he or she hereafter shall not incur any debts or obligations for which the other may be liable.

4. Waiver of Maintenance and Support: Each party represents that he or she is in good health and is self-supporting, and that his or her resources and income are sufficient to provide for his or her own proper maintenance and support, now and in the future, in accordance with the standard of living he or she now enjoys. Each of the parties hereby declares that each does not desire or require any maintenance or support from the other party. Each party hereby waives any claim, which he or she may have against the other for alimony, maintenance, or support, and agrees that their respective duties to support and maintain the other are extinguished in consideration of the provision of this Agreement. Each party recognizes that this waiver includes rights that he or she otherwise might have or acquire under Section 20.107.1 of the 1950 Code of Virginia, as amended, and any amendment thereof or any successor statute. Neither party under any circumstances, ordinary or extraordinary, shall hereafter seek or require from the other any alimony, maintenance, support or similar payment. This waiver by the parties of maintenance and support shall survive, and not be merged in, any judgment, decree, or order of any court.

5. Full Acknowledgement: Each party acknowledges that all of the matters embodied in this Agreement, including all terms, covenants, conditions, waivers, releases and other provisions contained herein, are fully understood by him or her; that he or she is entering into this Agreement freely, voluntarily and after due consideration of the consequences of doing so; and that this Agreement is valid and binding upon him or her.

6. Full Disclosure: Each party has made independent inquiry into the complete financial circumstances of the other, and acknowledges that he or she is fully informed of the income, assets, and financial prospects of the other, and is satisfied that full disclosure has been made.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date first above written.

\_\_\_\_\_ [Plaintiff's Signature]  
[Plaintiff's Name]

COMMONWEALTH OF VIRGINIA, COUNTY OF \_\_\_\_\_:

I, \_\_\_\_\_, a notary public for the County/City and State aforesaid, certify that \_\_\_\_\_, whose name is signed to the

foregoing Agreement, dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, acknowledged the same before me in the County/City aforesaid.

Given under my hand and official seal this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

My commission expires on \_\_\_\_\_

Notary Registration No. \_\_\_\_\_

\_\_\_\_\_  
[Defendant's Signature]

[Defendant's Name]

COMMONWEALTH OF VIRGINIA, COUNTY OF \_\_\_\_\_:

I, \_\_\_\_\_, a notary public for the County/City and State aforesaid, certify that \_\_\_\_\_, whose name is signed to the foregoing Agreement, dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, acknowledged the same before me in the County/City aforesaid.

Given under my hand and official seal this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

My commission expires on \_\_\_\_\_

Notary Registration No. \_\_\_\_\_

**DISCLAIMER: THIS DOCUMENT IS A SAMPLE ONLY. It is 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 this sample document may or may not apply to your case and will need to be changed to reflect the specific facts and circumstances of your case. This form is 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 this form references 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 this sample form 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 be entitled legally.**

## APPENDIX 9.A

### SAMPLE *ORE TENUS* OR DEPOSITION TESTIMONY FOR A PLAINTIFF

*(You must adjust these for your specific circumstances)*

1. My name is \_\_\_\_\_ and I am the Plaintiff in this action.
2. My address is \_\_\_\_\_.
3. The Defendant's address is \_\_\_\_\_.
4. The Defendant and I were married on (date) in (city, state).
5. Both the Defendant and I are over 18 years of age.
6. I am/am not a member of the armed forces of the United States, and the Defendant is/is not a member of the armed forces of the United States.
7. The Defendant and I have not had or adopted any children – OR – The Defendant and I have (number) child(ren). Their / His / Her name(s) is / are \_\_\_\_\_, and their / his / her birthday(s) is / are \_\_\_\_\_.
8. I have been a domiciliary and resident of Virginia since \_\_\_\_\_, which is more than 6 months before I filed this action for divorce – OR – The Defendant has been a domiciliary of and resident of Virginia since \_\_\_\_\_, which is more than 6 months before I filed this action for divorce.
9. The Defendant and I separated from each other on (date).
10. I / the Defendant intended the separation to be permanent on the day we separated, and I / the Defendant still intend the separation to be permanent.
11. Since the day we separated, the Defendant and I have lived separate and apart continuously without any cohabitation and without interruption.
12. There is no hope or possibility that the Defendant and I will reconcile.
13. I ask that the Court grant me a final decree of divorce on the grounds of having lived separate and apart without any cohabitation and without interruption for a period in excess of 1 year / 6 months (*choose the same grounds of divorce stated in your Complaint and Final Decree*).

If you are the wife and want to change your name back to your maiden name, state the following:

14. I ask that the Court restore my maiden/family name.

If your proposed Final Decree of Divorce incorporates a Property Settlement Agreement, state the following:

15. *(Ask to see the Property Settlement Agreement from the court's file; then say)* This is the Agreement the Defendant and I entered into on (date on which it was last signed). I affirm that this is my signature, and that this is the Defendant's signature. This Agreement resolves all the issues pending before this Court. I request that the Court affirm, ratify, and incorporate but not merge this Agreement into the Final Decree of Divorce.

***DISCLAIMER: THESE QUESTIONS ARE PROVIDED AS SAMPLES ONLY. They 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. Use of these sample questions 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 be entitled legally.***



## APPENDIX 9.B

### SAMPLE ORE TENUS TESTIMONY FOR A WITNESS

*(You must adjust these for your specific circumstances)*

1. Please state your name and current address.
2. Do you know the Plaintiff/Defendant in this divorce action?
3. How long have you known the Plaintiff/Defendant?
4. To the best of your information were Plaintiff and Defendant married on (date) in (place)?
5. How long have the Plaintiff/Defendant lived in Virginia and considered Virginia their home?
6. Are the Plaintiff/Defendant residents and domiciliaries of the Commonwealth of Virginia, and have they been residents and domiciliaries for more than six (6) months immediately prior to the filing of this Bill of Complaint for divorce?
7. Are the Plaintiff and Defendant over eighteen (18) years of age?
8. Are Plaintiff or Defendant now, or at anytime during the pendency of this divorce action, members of the armed forces of the United States?
9. Were there any children born or adopted of the marriage? If so, what are their names and dates of birth?
10. Did you learn at some time that the Plaintiff and Defendant separated from one another? How did you learn of the separation?
11. Where is Plaintiff/Defendant living now?
12. Have you visited Plaintiff/Defendant in his/her place of residence since their separation?
13. How many times?
14. During your visits to the Plaintiff/Defendant's residence, did you see any evidence that would indicate to you that the Plaintiff and Defendant cohabited in any fashion?
15. Do you feel like you know the Plaintiff/Defendant well enough that if s/he had cohabited with the other since their separation that you would know of it?
16. Since the date of separation, to the best of your information, have the Plaintiff and
17. Defendant lived separate and apart continuously, without cohabitation and without interruption?
18. Has Plaintiff/Defendant ever told you that s/he intended the separation be permanent?
19. When did either the Plaintiff/Defendant form the intent to have the separation be permanent? Has that intention continued through the present to your knowledge?
20. In your opinion, is there any hope or possibility of reconciliation between Plaintiff Defendant?

**DISCLAIMER: THESE QUESTIONS ARE PROVIDED AS SAMPLES ONLY. They 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. Use of these sample questions 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 be entitled legally.**