

ATTACHMENT 1A

\*\*\* THIS IS A SAMPLE ONLY AND NOT TO BE USED AS A FILL-IN-THE-BLANK FORM. DO NOT retype the language in the parenthesis ( ) when you retype this form. The information in each paragraph needs to be changed as necessary for your particular case. This form is NOT intended to be legal advice and should NOT be relied upon as such. You are encouraged to consult an attorney.

This Complaint for Divorce form can only be utilized if 1) there are no minor children; 2) the parties have entered into a Separation Agreement before filing the Complaint (“SA”, which is a written agreement that the parties have separated, and if there is property to be divided, the parties’ agreement regarding the division of that property); and 3) the parties have been separated for at least six months before filing the Complaint.\*\*\*

\*\*\* Please note that instructions are in bold and/or italics. You should delete the instructions from your document before filing with the court.

**VIRGINIA:**

**IN THE CIRCUIT COURT OF FAIRFAX COUNTY**

\_\_\_\_\_ (*full name*) )  
**Plaintiff** )  
) )  
v. ) **CL No.** \_\_\_\_\_  
) )  
\_\_\_\_\_ (*full name*) )  
**Defendant** )

**SERVE:** \_\_\_\_\_ (*Full Name of Defendant*)  
\_\_\_\_\_ (*Complete Address of Defendant*)

**COMPLAINT FOR DIVORCE**  
**ON GROUND OF SIX MONTHS’ SEPARATION**

Plaintiff says:

1. The parties were married on the \_\_\_\_\_ (*day*) of \_\_\_\_\_ (*month*), \_\_\_\_\_ (*year*), in the City/County of \_\_\_\_\_, State of \_\_\_\_\_.

2. There are no children who were born or adopted of this marriage that are under the age of 18 years, and no children are currently expected from the marriage neither party is known to be pregnant from the marriage.

3. Plaintiff (*or Defendant, if the statement is only true for the Defendant*) was at the time of the filing of the suit and had been for at least six months preceding the filing of the suit an actual bona fide resident and domiciliary of this Commonwealth; .

*(Choose either #4(a) OR #4(b) — NOT BOTH. Renumber as #4) (If the Defendant is in the military, he/she must sign a waiver of rights under the Servicemembers Civil Relief Act, 50 U.S.C. Appx. § 501 et seq.)*

4(a). Both parties are over the age of 18 years, and neither is an active duty member of the military service of the United States; . **OR**

(b). Both parties are over the age of 18 years, the Defendant is an active member of the military service of the United States, and has signed a Servicemembers Civil Relief Act Waiver, the original of which is attached hereto as **Exhibit** \_\_\_\_\_.

5. The parties last cohabited at \_\_\_\_\_  
\_\_\_\_\_ (*complete address of the place the parties last lived together*).

6. The parties have lived separate and apart without cohabitation and without interruption for more than six months immediately before filing this suit; to wit: since \_\_\_\_\_ (*month*), \_\_\_\_ (*day — if you do not remember the exact day, use the last day of the month you just listed*), \_\_\_\_\_ (*year*).

7. The Plaintiff/Defendant (*choose one or both*) formed the intent to remain permanently separate and apart since \_\_\_\_\_ (*day*) \_\_\_\_\_ (*month*) \_\_\_\_\_ (*day*), \_\_\_\_\_ (*year*) and the intent to remain separate and apart has continued to date.

8. There is no hope or possibility of reconciliation between the parties; . and

9. The parties have entered into an Agreement dated \_\_\_\_ (day) \_\_\_\_\_ (month) \_\_\_\_ (day), \_\_\_\_\_ (year) that resolves all outstanding issues between the parties.

10. The Plaintiff desires to be restored to her former name of \_\_\_\_\_, and states that this request is not made for any illegal purpose or to the prejudice of third parties. ***(Delete this paragraph if no name change is requested)***

**WHEREFORE**, Plaintiff prays as follows:

A. That he/she (*pick only one*) 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 immediately before filing this suit, Va. Code Ann. § 20-91(A)(9)(a). ); and

B. That the Agreement executed signed by (signed by) the parties dated \_\_\_\_\_ (month) \_\_\_\_ (day), \_\_\_\_\_ (year), be affirmed, ratified and incorporated, but not merged, into the Final Order of Divorce; and

C. That the Plaintiff's maiden, or former, name be restored to \_\_\_\_\_ (*Plaintiff's full maiden or former name; you may ONLY ask for this if you are the wife. The husband cannot ask to restore his wife's name. Please see ATTACHMENT 9 10 for a change of name order*) ***(Delete this paragraph if no name change is requested)***; and

D. That the Plaintiff have such other and further relief as to this Court appears warranted in all of the circumstances herein.

I ASK FOR THIS:

\_\_\_\_\_ (*your signed name*)

Plaintiff, *pro se*

(*Type your full name*)

(*Type your complete address*)

(*Type your daytime phone number*)

(*Type your email address*)