

VIRGINIA: IN THE CIRCUIT COURT OF THE CITY OF CHESAPEAKE

_____ ,

Plaintiff,

vs.

Civil No.: _____

_____ ,

Defendant.

FINAL DECREE OF DIVORCE

This cause came on this day, in accordance with Virginia Code § 20-106, to be heard upon:

- Affidavits of the moving party and a corroborating witness
- Depositions of the moving party and a corroborating witness
- Evidence heard *ore tenus* by the Court upon proper notice to the opposing party

The Court finds that the defendant was properly served with process:

- By personal service pursuant to Virginia Code § 8.01-296(1)
- By substituted service pursuant to Virginia Code § 8.01-296(2)(a)
- By posted service pursuant to Virginia Code § 8.01-296(2)(b)
- By notarized waiver of service pursuant to Virginia Code § 20-99.1:1
- By notarized acceptance of service within the Commonwealth of Virginia pursuant to Virginia Code § 20-99.1:1
- By signing the proof of service before an officer authorized to administer oaths, pursuant to Virginia Code § 20-99.1:1
- By personal service outside the Commonwealth, and jurisdiction may be exercised over the defendant pursuant to Virginia Code § 8.01-328.1
- By notarized acceptance of service outside the Commonwealth of Virginia, and the defendant is a nonresident of the Commonwealth; therefore, jurisdiction is *in rem* pursuant to Virginia Code § 20-99.1:1(B)

- By personal service outside the Commonwealth, and jurisdiction cannot be exercised over the defendant pursuant to Virginia Code § 8.01-328.1; therefore, jurisdiction is *in rem*
- By substituted service outside the Commonwealth, and the defendant is not a resident of the Commonwealth; therefore, jurisdiction is *in rem* pursuant to Virginia Code § 8.01-320(A)
- By order of publication pursuant to Virginia Code § 8.01-316; therefore, jurisdiction is *in rem*
- Service is not necessary because defendant entered a general appearance
- Other: _____

The Court further finds that the defendant:

- Has failed to plead, answer, or demur
- Has filed an Answer
- Has filed an Answer and Counterclaim, to which the plaintiff has / has not filed an Answer
- Other: _____

UPON CONSIDERATION WHEREOF, the Court further finds from the evidence, independently of any admissions of the parties in the pleadings or otherwise, as follows:

- (1) That the parties are over the age of eighteen, *sui juris*, and neither party is incarcerated in a mental or penal institution
- (2) That the parties were lawfully married in the City / County of _____, _____ on the _____ day of _____, _____
- (3) That at least one party was domiciled in and has been an actual bona fide resident of the Commonwealth of Virginia for a period of at least six months immediately preceding the commencement of this suit, to wit: plaintiff and/or defendant

(4) That the plaintiff and defendant last cohabitated in the ___ City / ___ County of _____, _____

(5) ___ The defendant is not an active duty member of the armed forces of the United States of America

___ The defendant is an active duty member of the armed forces of the United States of America and has signed a notarized waiver under the Servicemembers' Civil Relief Act

___ The defendant is an active duty member of the armed forces of the United States of America, has entered a general appearance in this action, and is represented by counsel

___ Other: _____

(6) ___ There are no minor children born of the parties, born of either party and adopted by the other, adopted by both parties, or expected of the parties

___ The name(s) and date(s) of birth of the minor children born of the parties, born of either party and adopted by the other, adopted by both parties, or expected of the parties are:

Name:

Date of Birth:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

___ Other: _____

(7) The parties have lived separate and apart without any cohabitation and without interruption since the _____ day of _____, _____

(8) ___ The parties entered into a separation agreement, dated the _____ day of _____, _____

___ The parties entered into an addendum to the separation agreement, dated the _____ day of _____, _____

___ The parties have not entered into a separation agreement

(9) ___ Pursuant to Virginia Code § 20-121.02, the ___ plaintiff / ___ defendant has moved to proceed with this action on the grounds set forth in Virginia Code § 20-91(A)(9)(a) and said motion is hereby granted

___ Not Applicable

Accordingly, it is ADJUDGED, ORDERED and DECREED that the ___ plaintiff / ___ defendant is granted a divorce A VINCULO MATRIMONII from the ___ plaintiff / ___ defendant on the grounds that:

___ The parties have lived separate and apart without any cohabitation and without interruption for more than one year, pursuant to Virginia Code § 20-91(A)(9)(a)

___ The parties have lived separate and apart without any cohabitation and without interruption for more than six months, the parties having entered into a separation agreement and there being no minor children born of the parties, born of either party and adopted by the other, or adopted by both parties, pursuant to Virginia Code § 20-91(A)(9)(a)

and, ___ The Counterclaim of the defendant is dismissed

___ The Complaint of the plaintiff is dismissed

___ Not applicable

It is further ADJUDGED, ORDERED and DECREED as follows:

(1) **Separation Agreement:**

Not Applicable

The separation agreement entered into between the parties on the ____ day of _____, _____, is incorporated, but not merged, into this decree

The addendum to the separation agreement entered into between the parties on the ____ day of _____, _____, is incorporated, but not merged, into this decree

(2) **Social Security Numbers of the Parties:**

Pursuant to Virginia Code §§ 20-91(B) & 20-121.03, the Social Security numbers of the parties are contained in a separate sealed addendum, which is hereby incorporated into this decree

(3) **Spousal Support:**

Denied to both parties

Reserved to both parties

Not ordered because jurisdiction is *in rem*

Other: _____

(4) **Equitable Distribution:**

Denied to both parties except as specified in the final decree

Denied to both parties except as specified in the separation agreement (including any addenda) and the final decree

Reserved to both parties, because the Court finds that reservation is clearly necessary

Not ordered because jurisdiction is *in rem*

Other: _____

(7) **Transfer Pursuant to Virginia Code § 20-79(c):**

Not applicable or not decreed

All matters pertaining to child support, custody, and visitation are transferred to the _____ Juvenile and Domestic Relations District Court

All matters pertaining to spousal support are transferred to the _____ Juvenile and Domestic Relations District Court

Statutory Notice Required by Virginia Code § 20-111.1

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

THERE BEING nothing remaining to be done herein, it is hereby ORDERED that this cause is removed from the docket and placed in the ended causes.

IT IS SO ORDERED.

ENTER:

Judge

{ENDORSEMENTS NEXT PAGE}

I ASK FOR THIS:

__ Counsel for Plaintiff; __ Plaintiff
__ Counsel for Defendant; __ Defendant

SEEN and _____:

__ Counsel for Plaintiff; __ Plaintiff
__ Counsel for Defendant; __ Defendant