



DIVORCE PACKET

NO-FAULT DIVORCE PACKET

INTRODUCTION

The purpose of this packet is to provide you with the information and documents you may need to obtain a simple no-fault divorce in Pennsylvania. This packet is not designed or intended for any divorce case with issues such as property/asset division, spousal support/child support/alimony, or child custody. Please look through the entire packet before completing any forms. For questions or additional assistance, please contact PA Safe Law Civil Legal Information Program at 833-727-2335 or call your local legal assistance office.

Thank you for letting us help you!

INSTRUCTIONS

Step One: Filing the Complaint

You will need to fill-out the following forms from this packet.

1. [Praecepte for Pro Se Entry of Appearance](#)
2. [Notice to Defend](#)
3. [Notice of Right to Counseling](#)
4. [Divorce Complaint](#)
5. [Verification](#)
6. [Certificate of Compliance](#)¹
7. [Petition to Proceed In Forma Pauperis](#)

Once completed, you will need to make 2 copies of each form. You will have 3 copies in total (1 original and 2 copies). If you do not have a way to make copies, you can most likely have copies made at the Prothonotary's Office for a small fee.

Take the documents to the Prothonotary's Office for filing. When filing the documents, keep them in the order listed above from top to bottom. You can file for divorce in the county where you live, the county where your spouse lives (if different), or in a mutually agreed upon county. The Prothonotary's Office will time-stamp the original and 2 copies. The original will stay in your file at the courthouse and the 2 copies will be returned to you. One copy is for you to keep and the other is for you to serve to your spouse as described in Step Two: Serving the Complaint.

¹ Make sure to include this form with any document that you file at the Prothonotary's Office. You can find more information on the UJS Public Access Policy at this [link](#).

Step Two: Serving the Complaint

If your spouse lives in Pennsylvania, you must serve him or her with the documents within **30 days** of the date you filed (30 days from the date stamped on the documents). If your spouse does not live in Pennsylvania, you have **90 days** to serve them with the documents. If you do not serve them with the documents in time, you will have to file a [Praecipe to Reinstate the Divorce Complaint](#) per the Pennsylvania Rules of Civil Procedure. This document will allow you to restart the divorce process and continue with the complaint you already filed.

You may serve the documents on your spouse by mail or in person:

By Mail

Informal

Send your spouse copies of the documents by regular First Class U.S. Mail. You will need to include an [Acceptance of Service](#) form.

Formal

Send your spouse copies of the documents by **Certified U.S. Mail, Restricted, Return Receipt Requested**. The Post Office can assist you with this method. When your spouse receives the documents, he or she will have to sign a green receipt card that will be returned to you. After you get the green receipt card back, you will complete the [Acceptance of Service](#) form and attach the green receipt card.

In Person

Informal

If you feel that it is safe, you can give the documents to your spouse directly and have them sign the [Affidavit of Service](#) form.

Formal

Have another adult personally hand the documents to your spouse. The person who delivers the documents will then complete the [Affidavit of Service](#). You can use a sheriff's service, a delivery service, or any other reliable adult person.

After you have served the documents, you will need to file the signed Acceptance or Affidavit of Service (and any attachments, such as the green receipt card), and have it date-stamped at the Prothonotary's office. The court will keep the original and return the copy to you.

Step Three: The Waiting Period

After you have filed a divorce complaint and served the documents on your spouse, you must wait a period of time before moving forward with finalizing the divorce. The length of the waiting period, and whether you follow Step 4a or Step 4b, depends upon the type of no-fault divorce.

- If the divorce is a **mutual consent divorce**, where both you and your spouse agree to the divorce, you must wait 90 days before taking any further action. See [Step 4a](#) below.
- If the divorce is an **irretrievable breakdown divorce** because your spouse is not cooperative, you must be separated for either 1 or 2 years before moving forward with finalizing the divorce. The waiting period is 1 year if the separation began on or after December 5, 2016. The waiting period is 2 years if the separation began before December 5, 2016. See [Step 4b](#) below.

Step 4a: Mutual Consent Divorce - 3301(c)

Affidavit of Consent, Waiver of Notice, and Praecipe to Transmit the Record

After 90 days have passed since you served the divorce complaint on your spouse, both you and your spouse will sign an [Affidavit of Consent](#) and a [Waiver of Notice](#) to show that you both agree to go forward with the divorce. After these documents are signed and dated, copies must be filed with the Prothonotary's office within 30 days of the signature date. If you miss this deadline, you will have to re-sign and date the forms and file them again within 30 days.

After both parties have signed and filed copies of the Affidavit of Consent and Waiver of Notice, then you will prepare and file a [Praecipe to Transmit the Record](#) with a **blank** [Divorce Decree](#) to have the divorce finalized by the Judge. Please check with the Prothonotary's Office to see if any additional paperwork is required for your county. When filing the Praecipe to Transmit the Record, you will need to give the Court self-addressed and stamped envelopes for you and your spouse so that the Court can mail you a copy of the final divorce decree. If any corrections are needed, the Court may return the paperwork to you before it enters the final divorce decree.

Step 4b: Irretrievable Breakdown Divorce - 3301(d)

Affidavit of Separation and Counter-Affidavit

After the one-year or two-year waiting period is over (or if you have already been separated that long) you will complete the [Affidavit of Separation](#), make two copies, and file them at the Prothonotary's Office. They will keep the original and return the time-stamped copies to you. You will then serve a copy of the Affidavit of Separation together with a **blank** [Counter-Affidavit](#), on your spouse. This time, you only need to serve the documents by first class U.S. mail.

Your spouse has 20 days to respond to the Affidavit of Separation by completing, filing, and serving you with the Counter-Affidavit and an Answer to the Divorce Complaint.

Notice of Intent and Praecipe to Transmit the Record

If your spouse does not respond, you will serve them with the [Notice of Intention to Request Entry of a Divorce Decree](#) along with another **blank** [Counter-Affidavit](#) by first class U.S. Mail. Once again, your spouse has 20 days to respond by filing and serving the counter-affidavit and an answer to the divorce complaint. If they still do not respond, you can ask the court to finalize the divorce by filing the [Praecipe to Transmit the Record](#) and a **blank** [Divorce Decree](#). Again, you will need to provide the court with self-addressed and stamped envelopes for you and your spouse so that the Court can mail you a copy of the final Divorce Decree.

However, if your spouse responds with the Counter-affidavit and Answer to the Divorce Complaint, you may need to prepare to go to court and file a Motion for the appointment of a Divorce Master who will decide your case. For more information, call an attorney at the PA Safe Law Civil Legal Information Program (833-727-2335) or your local legal assistance office.

Optional Step 5: Resume Prior Surname

If you changed your last name (surname) when you got married, and want to go back to using your birth name (or the last name you legally used), you can fill out and file the [Notice of Intent to Resume Prior Surname](#)² with the Prothonotary. It can be filed before or after the final Divorce Decree is granted. There may be a small fee for filing this form. **NOTE:** Before filing, make several copies of the document and sign each individually. After they are time-stamped by the Prothonotary's office, the documents are considered originals, and when organizations (social security, PennDOT, banks, etc.) ask for proof of your name change, you can give them the time-stamped documents.

² If the form must be notarized, you can fill it out before taking it to the notary, but don't sign it until you are in front of the notary. The notary must watch you sign the form.

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FORMS

LIST OF DOCUMENTS

1. [Praeipce for Pro Se Entry of Appearance](#)
2. [Notice to Defend](#) (in English and Spanish)
3. [Notice of Right to Counseling](#)
4. [Divorce Complaint](#)
5. [Verification](#)
6. [Certificate of Compliance](#)³
7. [Petition to Proceed In Forma Pauperis](#)
8. [Affidavit of Service](#)
9. [Acceptance of Service](#)
10. [Certificate of Service](#)⁴
11. [Praeipce to Reinstate the Divorce Complaint](#)
12. [Affidavit of Consent](#)
13. [Waiver of Notice](#)
14. [Affidavit of Separation](#)
15. [Counter-Affidavit](#)
16. [Notice of Intention to Request Entry of a Divorce Decree](#)
17. [Praeipce to Transmit the Record](#)
18. [Divorce Decree](#)
19. [Notice of Intent to Resume Prior Surname](#)

³ Make sure to include this form with any document that you file at the Prothonotary's Office. You can find more information on the UJS Public Access Policy at this [link](#).

⁴ With the exception of the Divorce Complaint, you will include this form with any document that you file with the court to demonstrate you sent or gave a copy to your spouse.

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_____ Plaintiff	: In the Court of Common Pleas
v.	: _____ County, Pennsylvania
_____ Defendant	: Docket No.: _____
	:
	: Civil Action – In Law
	: In Divorce

PRAECIPE FOR PRO SE ENTRY OF APPEARANCE

TO THE PROTHONOTARY:

Please enter my appearance in the above-captioned matter as a self-represented party. I understand that I am under a continuing obligation to provide current contact information to the court, to other self-represented parties, and to attorneys of record. All pleadings and legal papers can be served on me at the address listed below, which may or may not be my home address pursuant to Pa.R.C.P. 1930.8.

Respectfully submitted,

Dated: _____

Printed Name

Signature

Address

City, State, Zip Code

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THERE IS NO NEED TO FILE THIS PAGE

Plaintiff		: In the Court of Common Pleas
v.		: _____ County, Pennsylvania
Defendant		: Docket No.: _____
		:
		: Civil Action – In Law
		: In Divorce

NOTICE TO DEFEND

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in the following pages, you must take prompt action. If you fail to do so, the case may proceed without you and a decree of divorce or annulment may be entered against you by the court. A judgement may also be entered against you for any other claim or relief requested in these papers by the plaintiff. You may lose money or property or other rights important to you, including custody of your children.

When the ground of divorce is indignities or irretrievable breakdown of marriage, you may request marriage counseling, a list of marriage counselors is available in the office of the Prothonotary at:

_____.

If you do not file a claim for alimony, division of property, lawyers’ fees or expenses before a divorce or annulment is granted, you may lose the right to claim any of them.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

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_____ Plaintiff	: In the Court of Common Pleas : _____ County, Pennsylvania
v.	: Docket No.: _____
_____ Defendant	: _____
	: Civil Action – In Law
	: In Divorce

AVISO

USTED HA SIDO DEMANDADO EN LA CORTE. Si desea defenderse de las quejas expuestas en las páginas siguientes, debe tomar acción con prontitud. Se le avisa que si no se defiende, el caso puede proceder sin usted y decreto de divorcio o anulamiento puede ser emitido en su contra por la Corte. Una decisión puede también ser emitida en su contra por cualquier otra queja o compensación reclamados por el demandante. Usted puede perder dinero, o propiedades o otros derechos importantes para usted.

Cuando la base para el divorcio es indignidades o rompimiento irreparable del matrimonio, usted puede solicitar consejo matrimonial. Una lista de consejeros matrimoniales está disponible en la oficina del Prothonotary en: _____

Si usted no reclama pensión alimenticia, propiedad marital, honorarios de abogado o otros gastos antes de que el decreto final de divorcio o anulamiento sea emitido, usted puede perder el derecho a reclamar cualquiera de ellos.

USTED DEBE LLEVAR ESTE PAPEL A UN ABOGADO DE INMEDIATO. SI NO TIENE O NO PUEDE PAGAR UN ABOGADO, VAYA O LLAME A LA OFICINA INDICADA ABAJO PARA AVERIGUAR DONDE PUEDE OBTENER ASISTENCIA LEGAL.

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_____,
Plaintiff
v.
_____,
Defendant

: In the Court of Common Pleas
: _____ County, Pennsylvania
: Docket No.: _____
:
: Civil Action – In Law
: In Divorce

NOTICE OF RIGHT TO COUNSELING

You are one of the parties in the above-captioned action in divorce. Pursuant to 23 Pa.C.S. §3302, it is the duty of the Court to advise both parties of the availability of counseling where a divorce is sought under any of the following grounds:

- Section 3301(a)(6) - Indignities
- Section 3301(c) - Mutual Consent
- Section 3301(d) - Irretrievable Breakdown

Accordingly, if you desire counseling, please contact the Prothonotary's office at the local county courthouse for a list of qualified professionals

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_____,
Plaintiff
v.
_____,
Defendant

: In the Court of Common Pleas
: _____ County, Pennsylvania
: Docket No.: _____
:
: Civil Action – In Law
: In Divorce

COMPLAINT IN DIVORCE
NO FAULT DIVORCE
PURSUANT TO §3301 (c) or (d) OF THE DIVORCE CODE

AND NOW, comes _____, and in support of this Complaint in Divorce respectfully avers as follows:

1. Plaintiff is _____, an adult individual currently residing in _____ County, Pennsylvania.

2. Defendant is _____, an adult individual currently residing in _____ County, Pennsylvania.

3. Plaintiff and Defendant have been bona fide residents of the Commonwealth of Pennsylvania for at least six months immediately prior to the filing of this Complaint.

4. Plaintiff and Defendant were married on _____ in _____.

5. Both parties are citizens of the United States of America.

6. Plaintiff is not an active member of the United States military or its allies. Further, Plaintiff avers that Defendant is not an active member of the United States military or its allies.

7. There have been no prior actions of divorce or for annulment between the parties hereto in this or any other jurisdiction.

8. Plaintiff has been advised that counseling is available and that Plaintiff or Defendant has the right to request that the court require the parties to participate in counseling.

9. Plaintiff is proceeding for divorce from the Defendant on the following grounds

- a. Section 3301(c), as the marriage is irretrievably broken and after ninety (90) days have elapsed from the date of service of this Complaint, Plaintiff shall file an affidavit consenting to a divorce. Plaintiff believes that Defendant may also file such an affidavit; or
- b. Section 3301(d), as the marriage is irretrievably broken, the parties live separate and apart, and, when the requisite period of time has passed, Plaintiff shall submit an affidavit alleging that the parties have lived separate and apart for at least one (1) year if the date of separation is on or after December 5, 2016 or for at least two (2) years if the date of separation is before December 5, 2016.

WHEREFORE, Plaintiff humbly requests the Honorable Court to enter a Decree of Divorce from the bonds of matrimony existing between Plaintiff and Defendant

Respectfully submitted,

Dated: _____

Printed Name

Signature

Address

City, State, Zip Code

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VERIFICATION

I, _____, verify that the statements made in the foregoing document are true and correct to the best of my knowledge, understanding, and belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

Signature

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CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania that require filing confidential information and documents differently than non-confidential information and documents.

Submitted by: _____

Signature: _____

Name: _____

Attorney No. (if applicable): _____

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_____,
Plaintiff : In the Court of Common Pleas
v. : _____ County, Pennsylvania
_____, : Docket No.: _____
Defendant :
: Civil Action – In Law
: In Divorce

PETITION TO PROCEED IN FORMA PAUPERIS

AND NOW, comes _____, and in support of this Petition Raising Economic Claims respectfully avers as follows:

1. I am the plaintiff in the above matter and because of my financial condition am unable to pay the fees and costs of prosecuting or defending the action or proceeding.

2. I am unable to obtain funds from anyone, including my family and associates, to pay the costs of litigation.

3. I represent that the information below relating to my ability to pay the fees and costs is true and correct:

a. If Employed

i. Name of Employer: _____

ii. Address of Employer: _____

iii. Salary/Wage: _____

iv. Type of Work: _____

b. If Unemployed

i. Date of Last Employment: _____

ii. Name of Employer: _____

iii. Address of Employer: _____

iv. Salary/Wage: _____

v. Type of Work: _____

c. Other Income in the Last 12 Months

i. Self-Employment Income: _____

ii. Interest: _____

iii. Dividends: _____

iv. Pension and/or Annuities: _____

- v. Social Security Benefits: _____
- iv. Support Payments: _____
- v. Disability Payments: _____
- vi. Unemployment Compensation: _____
- vii. Worker's Compensation: _____
- viii. Public Assistance: _____
- ix. Other: _____

d. Other Contributions to Household Support

- i. Spouse's Name: _____
- ii. Spouse's Employer: _____
- iii. Spouse's Salary/Wage: _____
- iv. Type of Work: _____
- v. Contributions from Parents: _____
- vi. Contributions from Children: _____
- vii. Other Contributions: _____

e. Property Owned

- i. Cash: _____
- ii. Checking Account: _____
- iii. Savings Account: _____
- iv. Certificates of Deposit: _____
- v. Real Estate: _____
- vi. Motor Vehicle: _____
- vii. Stocks and Bonds: _____
- viii. Other: _____

f. Debts and Obligations

- i. Mortgage: _____
- ii. Rent: _____
- iii. Loans: _____
- iv. Other: _____

g. Persons Dependent Upon You for Support

- i. Spouse: _____
- ii. Child(ren): _____

4. I understand that I have a continuing obligation to inform the court of improvement in my financial circumstances which would permit me to pay the costs incurred herein.

5. I verify that the statements made in this affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904, relating to unsworn falsification to authorities.

Respectfully submitted,

Dated: _____

Printed Name

Signature

Address

City, State, Zip Code

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		: In the Court of Common Pleas
Plaintiff		: _____ County, Pennsylvania
v.		: Docket No.: _____
		:
		: Civil Action – In Law
Defendant		: In Divorce

AFFIDAVIT OF SERVICE

COMMONWEALTH OF PENNSYLVANIA :

: SS

COUNTY OF

:

I, _____, being duly sworn according to law, swear or affirm that _____, was properly served with a time-stamped copy of the Complaint in Divorce filed in the above-captioned matter pursuant to Pa.R.C.P. 1930.4 by:

(Circle One)

1. Hand-delivery.
2. Certified U.S. Mail, Restricted, Return Receipt Requested

If service was effectuated by mail, a true and correct copy of the Post Office return receipt signed by _____ is attached hereto.

Respectfully submitted,

Dated: _____

Signature

Sworn to and subscribed

Before me this _____ day
of _____, 2019

NOTARY PUBLIC

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_____,
Plaintiff

v.

_____,
Defendant

: In the Court of Common Pleas
: _____ County, Pennsylvania
: Docket No.: _____
:
: Civil Action – In Law
: In Divorce

ACCEPTANCE OF SERVICE

I hereby affirm that I have accepted service of the Complaint in Divorce in the above-captioned matter. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904, relating to unsworn falsification to authorities.

Respectfully submitted,

Dated: _____

Printed Name

Signature

Address

City, State, Zip Code

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_____,
Plaintiff

v.

_____,
Defendant

: In the Court of Common Pleas
: _____ County, Pennsylvania
: Docket No.: _____
:
: Civil Action – In Law
: In Divorce

CERTIFICATE OF SERVICE

I hereby certify that on this date, I did serve a true and correct copy of the foregoing document upon Defendant via first class U.S. Mail addressed as follows:

Respectfully submitted,

Dated: _____

Printed Name

Signature

Address

City, State, Zip Code

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_____,
Plaintiff

v.

_____,
Defendant

: In the Court of Common Pleas
: _____ County, Pennsylvania
: Docket No.: _____
:
: Civil Action – In Law
: In Divorce

PRAECIPE TO REINSTATE THE DIVORCE COMPLAINT

TO THE PROTHONOTARY:

Please reinstate the Divorce Complaint filed in the above-captioned matter on

_____.

Respectfully submitted,

Dated: _____

Printed Name

Signature

Address

City, State, Zip Code

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_____,
Plaintiff

v.

_____,
Defendant

: In the Court of Common Pleas
: _____ County, Pennsylvania
: Docket No.: _____
:
: Civil Action – In Law
: In Divorce

AFFIDAVIT OF CONSENT

1. A Complaint in Divorce pursuant to §3301(c) of the Divorce Code was filed on _____, 20__.
2. The marriage of Plaintiff and Defendant is irretrievably broken and ninety days have elapsed from the date of filing and service of the Complaint.
3. I consent to the entry of a final decree of divorce.

I verify that the statements made in this affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

Respectfully submitted,

Dated: _____

Printed Name

Signature

Address

City, State, Zip Code

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_____,
Plaintiff
v.
_____,
Defendant

: In the Court of Common Pleas
: _____ County, Pennsylvania
: Docket No.: _____
:
: Civil Action – In Law
: In Divorce

WAIVER OF NOTICE OF INTENTION TO REQUEST ENTRY OF A DIVORCE DECREE PURSUANT TO §3301(c) or §3301(d)

1. I consent to the entry of a final decree of divorce without notice.
2. I understand that I may lose rights concerning alimony, division of property, lawyer's fees or expenses if I do not claim them before a divorce is granted.
3. I understand that I will not be divorced until a divorce decree is entered by the Court and that a copy of the decree will be sent to me immediately after it is filed with the prothonotary.

I verify that the statements made in this affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

Dated: _____

Respectfully submitted,

Printed Name

Signature

Address

City, State, Zip Code

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		: In the Court of Common Pleas
Plaintiff		: _____ County, Pennsylvania
v.		: Docket No.: _____
		:
		: Civil Action – In Law
Defendant		: In Divorce

NOTICE

If you wish to deny any of the statements set forth in this affidavit, you must file a counter-affidavit within twenty days after this affidavit has been served on you or the statements will be admitted.

AFFIDAVIT OF SEPARATION UNDER §3301(d) OF THE DIVORCE CODE

1. The parties to this action have lived separate and apart since: _____, 20__.
2. Check (a) or (b):
 - (a) The date of separation was prior to December 5, 2016, and the parties have continued to live separate and apart for a period of at least two years.
 - (b) The date of separation was on or after December 5, 2016, and the parties have continued to live separate and apart for a period of at least one year.
3. The marriage is irretrievably broken.
4. I understand that I may lose rights concerning alimony, division of property, lawyer’s fees or expenses if I do not claim them before a divorce is granted.

I verify that the statements made in this affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

Respectfully submitted,

Dated: _____

Printed Name

Signature

Address

City, State, Zip Code

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THERE IS NO NEED TO FILE THIS PAGE

		: In the Court of Common Pleas
Plaintiff		: _____ County, Pennsylvania
v.		: Docket No.: _____
		:
		: Civil Action – In Law
Defendant		: In Divorce

COUNTER-AFFIDAVIT UNDER §3301(d) OF THE DIVORCE CODE

1. Check either (a) or (b):

(a) I do not oppose the entry of a divorce decree.

(b) I oppose the entry of a divorce decree because:

(Check (i), (ii), (iii) or all):

(i) The parties to this action have not lived separate and apart for the required separation period: two years for parties that separated prior to December 5, 2016, and one year for parties that separated on or after December 5, 2016.

(ii) The marriage is not irretrievably broken.

(iii) There are economic claims pending.

2. Check (a), (b) or (c):

(a) I do not wish to make any claims for economic relief. I understand that I may lose rights concerning alimony, division of property, lawyer’s fees or expenses if I do not claim them before a divorce is granted.

(b) I wish to claim economic relief which may include alimony, division of property, lawyer’s fees or expenses or other important rights.

I UNDERSTAND THAT IN ADDITION TO CHECKING (b) ABOVE, I MUST ALSO FILE ALL OF MY ECONOMIC CLAIMS WITH THE PROTHONOTARY IN WRITING AND SERVE THEM ON THE OTHER PARTY. IF I FAIL TO DO SO BEFORE THE DATE SET FORTH ON THE NOTICE OF INTENTION TO REQUEST DIVORCE DECREE, THE DIVORCE DECREE MAY BE ENTERED WITHOUT FURTHER NOTICE TO ME, AND I SHALL BE UNABLE THEREAFTER TO FILE ANY ECONOMIC CLAIMS.

(c) Economic claims have been raised and are not resolved.

I verify that the statements made in this counter-affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

Respectfully submitted,

Dated: _____

Printed Name

Signature

Address

City, State, Zip Code

NOTICE: IF YOU DO NOT WISH TO OPPOSE THE ENTRY OF A DIVORCE DECREE AND YOU DO NOT WISH TO MAKE ANY CLAIM FOR ECONOMIC RELIEF, YOU SHOULD NOT FILE THIS COUNTER-AFFIDAVIT.

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_____ Plaintiff	: In the Court of Common Pleas
v.	: _____ County, Pennsylvania
_____ Defendant	: Docket No.: _____
	:
	: Civil Action – In Law
	: In Divorce

NOTICE OF INTENTION TO REQUEST ENTRY OF A §3301(d) DIVORCE DECREE

TO: _____
 (Defendant)

You have been sued in an action for divorce. You have failed to answer the complaint or file a counter-affidavit to the §3301(d) affidavit. Therefore, on or after _____, 20__, the other party can request the court to enter a final decree in divorce.

If you do not file with the prothonotary of the court an answer with your signature notarized or verified or a counter-affidavit by the above date, the court can enter a final decree in divorce. A counter-affidavit which you may file with the prothonotary of the court is attached to this notice.

Unless you have already filed with the court a written claim for economic relief, you must do so by the above date or the court may grant the divorce and you will lose forever the right to ask for economic relief. The filing of the form counter-affidavit alone does not protect your economic claims.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

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THERE IS NO NEED TO FILE THIS PAGE

		: In the Court of Common Pleas
Plaintiff		: _____ County, Pennsylvania
v.		: Docket No.: _____
		:
		: Civil Action – In Law
Defendant		: In Divorce

PRAECIPE TO TRANSMIT THE RECORD

TO THE PROTHONOTARY:

Transmit the record, together with the following information, to the Court for entry of a divorce decree:

1. Grounds for Divorce:
 - §3301(c)
 - §3301(d)
2. Date and manner of service of the complaint: _____.
3. Complete either paragraph (a) or (b).
 - a. Date of execution of the §3301(c) affidavit of consent:
 - i. By Plaintiff: _____.
 - ii. By Defendant: _____.
 - b. Date of execution of the §3301(d) affidavit of separation: _____.
 - i. Date of filing of 3301(d) affidavit: _____.
 - ii. Date of service of 3301(d) affidavit on Respondent: _____.
 - iii. Check one:
 - Counter affidavit was not filed.
 - Counter affidavit was filed on _____ but did not oppose the entry of a divorce decree.

4. Related economic claims: **None**

5. Complete either (a) or (b):

a. Date and Manner of Service of notice of intention to file praecipe, a copy of which is attached hereto:_____.

b. Plaintiff's Waiver of Notice was filed on:_____.

Defendant's Wavier of Notice was filed on:_____.

Respectfully submitted,

Dated:_____

Printed Name

Signature

Address

City, State, Zip Code

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THERE IS NO NEED TO FILE THIS PAGE

_____,
Plaintiff
v.
_____,
Defendant

: In the Court of Common Pleas
: _____ County, Pennsylvania
: Docket No.: _____
:
: Civil Action – In Law
: In Divorce

DECREE IN DIVORCE

AND NOW, _____, 20_____, it is ordered, and decreed that

_____ (your name), Plaintiff, and
_____ (your spouse's name), Defendant, are
divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

Any existing spousal support order shall hereafter be deemed an order for alimony pendente lite if any economic claims remain pending.

By the Court,

_____ J.

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THERE IS NO NEED TO FILE THIS PAGE

		: In the Court of Common Pleas
Plaintiff		: _____ County, Pennsylvania
v.		: Docket No.: _____
		:
		: Civil Action – In Law
Defendant		: In Divorce

NOTICE OF INTENT TO RESUME PRIOR SURNAME

Notice is hereby given that the Plaintiff / Defendant in the above matter,
 _____ prior to the entry of a Final Decree in Divorce, or
 _____ after the entry of a Final Decree in Divorce dated _____, hereby elects to
 resume the prior surname of _____, and gives this written
 notice avowing his / her intention pursuant to the provisions of 54 P.S. § 704.

Signature

Signature of name being resumed

COMMONWEALTH OF PENNSYLVANIA
 COUNTY OF _____

On the _____ day of _____, _____, before me, the
 Prothonotary or a Notary Public, personally appeared the above affiant known to me to be the person
 whose name is subscribed to the within document and acknowledged that he / she executed the foregoing
 for the purpose therein contained.

In Witness Whereof, I have hereunto set my hand and official seal.

Prothonotary or Notary Public