

DIVORCE PROCEDURE IN BUCKS COUNTY

WARNING ABOUT YOUR LEGAL RIGHTS

Self-represented litigants are held to the same standards as attorneys admitted to the bar of the Commonwealth of Pennsylvania. Representing yourself does not exempt you from understanding and following statewide and local Rules of Court. ****PLEASE NOTE - COURT STAFF CANNOT ADVISE YOU REGARDING YOUR DIVORCE. YOU MUST FOLLOW THE INSTRUCTIONS PROVIDED BELOW AND CONSULT THE DIVORCE STATUTE AND RULES OF CIVIL PROCEDURE.**

Divorce in Pennsylvania is governed by 23 Pa C.S.A. §3301. For more information, please use the following link:

<https://www.legis.state.pa.us/WU01/LI/LI/CT/PDF/23/23.PDF>

The procedures for filing for divorce are governed by the Pennsylvania Rules of Civil Procedure (“Pa.R.C.P.”). Please review Pa.R.C.P. No. 1920 and Pa.R.C.P. No. 1930.4 before filing your divorce action. For more information, please use the following link:

http://www.pacodeandbulletin.gov/secure/pacode/data/231/chapter1920/231_1920.pdf

http://www.pacodeandbulletin.gov/secure/pacode/data/231/chapter1930/231_1930.pdf

Bucks County local rules governing divorce actions in the county can be found at Bucks County Rule of Civil Procedure 1920. For more information, please use the following link:

<http://www.buckscounty.org/Courts/LocalRules>

Additional help can also be found at the following link:

<http://www.pacourts.us/learn/representing-yourself/divorce-proceedings>

PUBLIC ACCESS POLICY NOTICE

As a participant in your court case, you must follow the rules regarding confidential information, documents and filings. Please read the policy located at:

<http://www.pacourts.us/assets/opinions/Supreme/out/477jad-attach1.pdf?cb=1>

Consider watching the video that explains the policy: <http://www.pacourts.us/public-records/public-records-videos>

ECONOMIC CLAIMS – PLEASE READ

The information and forms provided to you are not designed for complicated divorce issues with economic claims. To deal with these matters, you would need additional forms that are not included with these forms and you will need to hire a lawyer. Examples of a complicated divorce matter include:

- A request to divide property (equitable distribution)
- A request to receive alimony, spousal support or alimony pendente lite
- A request for payment of lawyers' fees and expenses
- Your spouse is currently in the military and will not consent to the divorce

BE WARNED THAT IF YOU FAIL TO RAISE A CLAIM FOR ALIMONY, DIVISION OF PROPERTY, LAWYERS FEES OR EXPENSES IN YOUR DIVORCE COMPLAINT YOU MAY LOSE ALL RIGHT TO MAKE SUCH CLAIMS WHEN THE DIVORCE DECREE IS ENTERED.

COURT STAFF CANNOT ADVISE YOU REGARDING YOUR DIVORCE. YOU MUST FOLLOW THE INSTRUCTIONS PROVIDED BELOW AND CONSULT THE DIVORCE STATUTE AND RULES OF CIVIL PROCEDURE.

The Bucks County Bar Association can provide you with more information on obtaining legal advice. They can be contacted at:

**Bucks County Bar Association
135 East State Street, Doylestown, PA 18901
(215) 348-9413 or (800) 273-2929**

STEP ONE: The Notice to Defend and Complaint in Divorce (FORM 1)

A divorce case is started with the filing of a “Notice to Defend and Claim Rights” and “Complaint in Divorce” (Form 1). The Notice to Defend and Complaint in Divorce (and all subsequent documents discussed herein) are filed in the Family Court Prothonotary (“Prothonotary”) located at 100 N. Main Street, 1st floor, Doylestown, PA 18901. The current filing fee for a simple divorce (with no economic claims) is \$382.50. You may also file online at: <http://buckscounty.org/government/RowOfficers/Prothonotary>

The caption at the top of the forms includes the county’s name, your name, your spouse’s name, and the docket number given to you by the Prothonotary. This caption must be identical on all documents filed in your case, no matter who is filing a document.

You must fill out all information requested in this document. Do not leave any information blank. **Please note – Bucks County requires that you file a copy of your marriage certificate. It may be filed along with the Notice to Defend and Complaint in Divorce or at a later time. However, your divorce will NOT be finalized until a copy of the marriage certificate is filed.*

If you are using a Complaint in Divorce other than the one provided herein, you may also need to file an Affidavit of Non-Military Service. A form may be found at the following link:

<http://www.pacourts.us/learn/representing-yourself/divorce-proceedings>

*Please note, if you are filing documents in person at the Prothonotary Office, you must bring an original and two (2) copies of all documents. The Prothonotary will keep the original and will time-stamp the two copies for you. You must serve one of the time-stamped copies upon your spouse and the other time-stamped copy is for you to keep for your records.

STEP TWO: Service of the Notice to Defend and Complaint in Divorce (Form 2, 3 or 4)

After filing the Notice to Defend and Complaint in Divorce, these documents must be served on the other party within thirty (30) days of the date they were filed (time stamped on the document). If the other party does not live in Pennsylvania, the time requirement is extended to ninety (90) days. You cannot serve the other party BEFORE these documents are filed because they must be served with filed time stamped copies.

Service of the Notice to Defend and Complaint in Divorce must be made by one of the following methods: (1) Acceptance of service; (2) regular and **Certified Mail, return receipt requested, restricted delivery**; or (3) Personal service. See Pa. R.C.P. No. 1920.4 and 1930.4 for additional information.

Decide how you are going to serve the other party. Next, determine which form you will need.

Form 2: Acceptance of Service – If your spouse will accept service of the Notice to Defend and Complaint in Divorce, you may give them the documents and have them sign and date an Acceptance of Service (Form 2). This document confirms that the other party has received a copy of the Notice to Defend and Complaint in Divorce. The document must be signed and dated within 30 days (or 90 days if out of state) of the date you filed the Complaint in Divorce.

EXAMPLE: The Complaint in Divorce is time stamped January 1, 2020 and your spouse signs an Acceptance of Service dated February 1, 2020. The document will be rejected.

-OR-

Form 3: Service by Mail - You can mail the Notice to Defend and Complaint in Divorce to the other party by **regular AND certified mail, return receipt requested, restricted delivery** (the post office can assist you). You must complete the Affidavit of Service and Signature (Form 3), stating that you have mailed your spouse the required forms by certified mail. You must also attach the green card receipt received from the post office (make a photocopy of this green card for your records, and file the original by attaching it to Form 3). By signing the Affidavit of Service and Signature you are also verifying that you are familiar with your spouse's signature and they are the one who signed the green card. Once again, please make sure the date your spouse received the documents (as reflected on the green card) is within 30 days of the date you filed the Complaint in Divorce. If the certified mail is returned unclaimed, another form of service must be used. Please consult an attorney or the Rules of Civil Procedure for alternative forms of service.

-OR-

Form 4: Personal Service – A competent adult (individual 18 years of age or older who is neither a party to the action or an employee or a relative of a party) may personally hand the Notice to Defend and Complaint in Divorce to the other party. Examples of a third party are: Sheriff, private courier service, or any reliable third party. The person who hands the papers to your spouse must sign a completed Affidavit of Service by Personal Service, similar to Form 4.

After you have completed either Form 2, 3, or 4 (whichever method you chose to serve the other party), file the form with the Prothonotary.

What if Service isn't made in time? - If you were unable to successfully serve the other party within 30 days (or within 90 days if the other party does not live in Pennsylvania), then you must file a Praecipe to Reinstate the Complaint in the Prothonotary office. The date you file this Praecipe re-starts the clock for service, and you will have another 30 days to serve the other party (or 90 days if the other party does not live in Pennsylvania). For example, if you file the Praecipe

to Reinstate the Complaint on January 1st, then you must serve the other party by January 31st. See the following link for more information on filing a Praecipe to Reinstate:

<http://www.pacourts.us/assets/files/setting-4291/file-4564.pdf?cb=9943d1>

IF YOU CONTINUE TO HAVE PROBLEMS COMPLETING SERVICE, IT IS RECOMMENDED THAT YOU SPEAK TO AN ATTORNEY.

STEP 3: Decide which divorce grounds you will proceed under:

IF YOUR SPOUSE CONSENTS TO THE DIVORCE, FOLLOW THE STEPS FOR A DIVORCE UNDER **3301(c)(1)** OF THE DIVORCE CODE.

IF YOUR SPOUSE DOES NOT CONSENT TO THE DIVORCE, FOLLOW THE STEPS FOR A DIVORCE UNDER SECTION **3301(d)** OF THE DIVORCE CODE.

IF YOUR SPOUSE HAS BEEN CONVICTED OF COMMITTING A “PERSONAL INJURY CRIME” AGAINST YOU, AND YOU WISH TO PROCEED UNDER SECTION **3301(c)(2)** OF THE DIVORCE CODE, PLEASE CONSULT AN ATTORNEY.

****PLEASE NOTE - COURT STAFF CANNOT ADVISE YOU REGARDING YOUR DIVORCE. IF YOU DO NOT KNOW WHICH GROUNDS TO PROCEED UNDER, CONSULT THE DIVORCE STATUTE OR CONTACT AN ATTORNEY.**

The Bucks County Bar Association can provide you with more information on obtaining legal advice. They can be contacted at:

**Bucks County Bar Association
135 East State Street, Doylestown, PA 18901
(215) 348-9413 or (800) 273-2929**

NO FAULT AND MUTUAL CONSENT 3301(c)(1)

Follow Steps 1 and 2 above. If you and your spouse agree to the divorce, use the forms listed below for 3301(c)(1). The Pennsylvania Rules of Civil Procedure require both parties to wait ninety (90) days from the service of the Complaint in Divorce before signing and filing Affidavit of Consents (Form 5). The date of service is Day 1 of 90.

After the ninety (90) days have passed, both parties may sign an Affidavit of Consent (Form 5), declaring that they consent to the divorce. The Affidavit of Consent must be filed with the Prothonotary within thirty (30) days after it is signed and dated. If the parties do not file their Affidavit of Consents within thirty days of the date it was signed, the Affidavit of Consent must be re-signed and re-filed.

EXAMPLE: Wife's 3301(c)(1) Affidavit of Consent is dated January 2, 2020, but not filed with the Prothonotary until February 20, 2020. Her consent is "stale." When a party attempts to finalize the divorce, they will receive a problem notice. Wife will have to sign and date a new affidavit and file it within 30 days.

***Please note: BOTH PARTIES MUST SIGN AND FILE AN AFFIDAVIT OF CONSENT.**

After ninety (90) days has passed and the parties have signed and filed their 3301(c) Affidavit of Consent, each party may sign and file a Waiver of Notice (Form 6), **OR**, either party could mail the other party a Notice of Intention to File the Praeceptum to Transmit Record Under Section 3301(c)(1) of the Divorce Code (Form 7) informing them that after 20 days the Praeceptum to Transmit the Record will be filed to finalize the divorce.

If both parties will sign Waiver of Notice: Each party must sign a Waiver of Notice (Form 6). Once the Waivers of Notice (Form 6) are signed and filed, then you must file a Praeceptum to Transmit Record (Form 9) and a proposed Decree (Form 10 or Form 11) in order to finalize your divorce. For more information on completing these forms, see below.

If your spouse will not sign a Waiver of Notice: Mail the following three (3) documents to your spouse: (1) Notice of Intention to File the Praeceptum to Transmit Record (Form 7) in order to provide your spouse with 20 days' notice of your intention to finalize the divorce. The date entered in the blank space should be at least 20 days in the future; (2) attach a completed proposed Praeceptum to Transmit Record (Form 9); and (3) a blank Counter-Affidavit Under Section 3301(c) (Form 8).

After the date that you entered on the Notice of Intention (Form 7) has passed, in order to finalize your divorce, file the following: (1) Praeceptum to Transmit Record (Form 9); (2) proposed Decree (Form 10 or Form 11); and (3) a Certificate of Service by Mail certifying that you mailed the documents to the other party (Form 15). For more information on completing these forms, see below.

PRAECEPTUM TO TRANSMIT RECORD: When completing the Praeceptum to Transmit Record (Form 9), check your records for the exact dates necessary to complete the form. All applicable information must be completed. You must correctly identify that you are proceeding

under Section 3301(c)(1) of the Divorce Code. Your divorce will not be finalized if you do not complete this document in its entirety and sign where indicated.

DECREE: The proposed Decree (Form 10 or Form 11) must have both parties' addresses in the caption and the names in the caption must match those on the Divorce Complaint (unless a praecipe to change the caption had been previously filed). You must also insert the parties' names in the body of the divorce decree as indicated. **DO NOT DATE THIS DOCUMENT.** The Judge will fill in the date. Pursuant to Bucks County local rules, the Decree should be the same as Form 10 or Form 11. If you use another decree form, it may be rejected.

If you and your spouse have reached an agreement (also known as a Property Settlement Agreement or Marital Settlement Agreement) regarding economic claims, and that agreement includes language that the agreement will be incorporated into the divorce decree please use the Divorce Decree found at Form 11. You must also file a signed copy of the agreement with the Prothonotary.

The Divorce Decree will be mailed to both parties after filing the above forms. If corrections need to be made in the paperwork, a final divorce decree will not be entered until the court has the corrected paperwork. The Office of the Family Master will send you a problem notice if corrections need to be made.

****PLEASE NOTE - COURT STAFF CANNOT ADVISE YOU REGARDING YOUR DIVORCE. IF YOU HAVE QUESTIONS REGARDING THESE PROCEDURES, CONSULT THE DIVORCE STATUTE OR CONTACT AN ATTORNEY.**

The Bucks County Bar Association can provide you with more information on obtaining legal advice. They can be contacted at:

**Bucks County Bar Association
135 East State Street, Doylestown, PA 18901
(215) 348-9413 or (800) 273-2929**

CHECKLIST FOR FINALIZING A 3301(c)(1) DIVORCE

- Notice to Defend and Complaint in Divorce (Form 1) with marriage certificate attached or filed at a later date**
- Affidavit of Service of the Notice to Defend and Complaint in Divorce (Form 2, 3 or 4)**
- Affidavit of Consent (Form 5) for BOTH PARTIES**
- Waivers of Notice of Intention (Form 6) for BOTH PARTIES**
- OR-**
- Notice of Intention to File Praecepte to Transmit Record (Form 7) and blank Counter-Affidavit (Form 8)**
- Praecepte to Transmit Record (Form 9)**
- Proposed Decree (Form 10 or Form 11)**
- Certificate of Service by mail (Form 15) – ONLY if you filed Form 7 and Form 8 above**

NO FAULT AND APPLICABLE TIME OF SEPARATION 3301(d)

Follow Steps 1 and 2 above. If your spouse will not consent to the divorce, the Pennsylvania Rules of Civil Procedure require the parties to be separated for an applicable time of separation before you can proceed with a non-consent no-fault divorce.

***APPLICABLE TIME OF SEPARATION:** If the period of separation from your spouse began on or after December 5, 2016, you will need to be living separate and apart from your spouse for a period of ONE YEAR, before filing your complaint in divorce. If the period of separation from your spouse began before December 5, 2016, you are required to be living separate and apart from your spouse for a period of TWO YEARS, before filing your complaint in divorce.

IF THE PARTIES WERE SEPARATED FOR A TIME PERIOD BEFORE THE FILING OF THE COMPLAINT, THAT TIME IS INCLUDED IN THE APPLICABLE TIME OF SEPARATION REQUIREMENT. THEREFORE, IF YOU HAVE ALREADY BEEN SEPARATED FOR THE APPLICABLE TIME PERIOD AS DEFINED ABOVE WHEN YOU INITIALLY FILED, YOU MAY PROCEED WITH A 3301(d) DIVORCE IMMEDIATELY AFTER FILING AND SERVING THE NOTICE TO DEFEND AND DIVORCE COMPLAINT.

Once the parties have been separated for the applicable time period, either party may sign and file an Affidavit under Section 3301(d) of the Divorce Code (Form 12) stating that the parties have in fact been separated for the applicable time period. This Affidavit must be served upon the other party, along with a blank Counter-Affidavit (Form 13). You may serve these documents by any of the methods described in STEP 2 above and you must file the proper proof of service as described in STEP 2 (Forms 2, 3 or 4). If you and your spouse have already been separated for the applicable time period before you file the Complaint in Divorce, you may file your 3301(d) Affidavit (Form 12) at the same time you file the Notice to Defend and Complaint in Divorce (Form 1). You may then serve the 3301(d) Affidavit and the blank Counter-Affidavit (Form 13) at the same time you serve the Notice to Defend and Complaint in Divorce (Form 1). You will have to state on Forms 2, 3 or 4 that these documents were served along with the Notice to Defend and Complaint in Divorce (Form 1).

Once the parties have been separated for the applicable time period **AND** you have filed and served an Affidavit under Section 3301(d) stating that you have been separated for the applicable time period (Form 12), then a divorce may be entered after 20 days' notice is given to the other party. **Or**, the parties may waive this notice by both parties signing and filing Waivers of Notice (Form 6).

If both parties will sign Waiver of Notice: Each party must sign a Waiver of Notice (Form 6). Once the Waivers of Notice (Form 6) are signed and filed, then you must file a Praecipe to Transmit Record (Form 9) and a proposed Decree (Form 10 or Form 11) in order to finalize your divorce. For more information on completing these forms, see below.

If your spouse will not sign a Waiver of Notice: Mail the following three (3) documents to your spouse: (1) Notice of Intention to File the Praeceptum to Transmit Record (Form 14) which provides the other party with 20 days' notice of your intention to finalize the divorce. The date entered in the blank space should be at least 20 days in the future; (2) attach a completed proposed Praeceptum to Transmit Record (Form 9) to the Notice of Intention; and (3) another blank Counter-Affidavit (Form 13).

After the date you entered on the Notice of Intention (Form 14) has passed, in order to finalize your divorce, file the following: (1) Praeceptum to Transmit Record (Form 9); (2) proposed Decree (Form 10 or Form 11); and (3) an Affidavit of Service by Mail certifying that you mailed the documents to the other party (Form 15). For more information on completing these forms, see below.

A 3301(d) divorce cannot be completed without proper service of all the required forms. Because the other party's consent is not required in order for a divorce to be entered against them, it is especially important that all service procedures are strictly followed.

If the other party does not oppose the divorce and does not wish to raise additional claims, they do not need to take any action on the Counter-Affidavit. If this is the case, a Divorce Decree may be issued after filing the Praeceptum to Transmit Record.

PRAECEPTUM TO TRANSMIT RECORD: When completing the Praeceptum to Transmit Record (Form 9), check your records for the exact dates necessary to complete the form. All applicable information must be completed. You must correctly identify that you are proceeding under Section 3301(d) of the Divorce Code. Your divorce will not be finalized if you do not complete this document in its entirety and sign where indicated.

DECREE: The proposed Decree (Form 10 or Form 11) must have both parties' addresses in the caption and the names in the caption must match those on the Divorce Complaint (unless a praecipe to change the caption had been previously filed). You must also insert the parties' names in the body of the divorce decree as indicated. **DO NOT DATE THIS DOCUMENT.** The Judge will fill in the date. Pursuant to local Bucks County rules, the Decree should be the same as Form 10 or Form 11. If you use another decree form, it may be rejected.

If you and your spouse have reached an agreement (also known as a Property Settlement Agreement or Marital Settlement Agreement) regarding economic claims, and that agreement includes language that the agreement will be incorporated into the divorce decree please use the Divorce Decree found at Form 11. You must also file a signed copy of the agreement with the Prothonotary.

The Divorce Decree will be mailed to both parties after filing the above forms. If corrections need to be made in the paperwork, a final divorce decree will not be entered until the court has the corrected paperwork. The Office of the Family Master will send you a problem notice if corrections need to be made.

****PLEASE NOTE - COURT STAFF CANNOT ADVISE YOU REGARDING YOUR DIVORCE. IF YOU HAVE QUESTIONS REGARDING THESE PROCEDURES, CONSULT THE DIVORCE STATUTE OR CONTACT AN ATTORNEY.**

The Bucks County Bar Association can provide you with more information on obtaining legal advice. They can be contacted at:

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135 East State Street, Doylestown, PA 18901
(215) 348-9413 or (800) 273-2929**

CHECKLIST FOR FINALIZING A 3301(d) DIVORCE

- Notice to Defend and Complaint in Divorce (Form 1) with marriage certificate attached or filed at a later date**
- Affidavit of Service of the Notice to Defend and Complaint in Divorce (Form 2, 3 or 4)**
- Affidavit Under Section 3301(d) of the Divorce Code (Form 12) and blank Counter-Affidavit (Form 13)**
- Affidavit of Service (Form 2, 3 or 4) certifying that you served the Affidavit Under Section 3301(d) (Form 12) and blank Counter-Affidavit (Form 13)**
- Waivers of Notice of Intention (Form 6) for BOTH PARTIES
-OR-**
- Notice of Intention to File Praecipe to Transmit Record (Form 14) and another blank Counter-Affidavit (Form 13)**
- Praecipe to Transmit Record (Form 9)**
- Proposed Decree (Form 10 or Form 11)**
- Affidavit of Service by mail (Form 15) – ONLY if you filed Form 13 and Form 14 above.**

FORM 1

NOTICE TO DEFEND AND COMPLAINT IN DIVORCE

-Please see Pennsylvania Rules of Civil Procedure 1920.12 and 1920.71 for more information.

-PAGE 1: Notice to Defend:

-Complete the caption with the parties' names. The prothonotary will provide you with a docket number when you file the documents.

-Place a check mark next to the applicable cause of action

-PAGE 2: Sign, date and print name

-PAGE 3: Complaint

-Line #1: Enter your name and address

-Line #2: Enter your spouse's name and address

-Line #3: State the name of the party who has resided in Pennsylvania for at least six months and circle whether that person is the plaintiff or defendant. If both parties have resided in Pennsylvania for at least 6 months, insert your name and circle plaintiff.

-Line #4: Enter your date of marriage and the location of your marriage. Attach a copy of your marriage certificate to the Complaint in Divorce. OR, you may file this document at a later date. **NOTE:** Your divorce will not be finalized until a copy is filed.

-Line #5: If you or your spouse have previously filed for divorce or annulment (with regard to this current union) you must change this paragraph and provide information about this previous filing.

-Line #6: If the Defendant is in the military, consult an attorney.

-Sign and date where indicated.

**IN THE COURT OF COMMON PLEAS OF BUCKS COUNTY, PENNSYLVANIA
FAMILY DIVISION**

_____ : A06-
(Plaintiff)

vs.

_____ : IN DIVORCE
(Defendant)

NOTICE TO DEFEND AND CLAIM RIGHTS

You have been sued for:

_____ DIVORCE

_____ ANNULMENT OF MARRIAGE

_____ SUPPORT

_____ EQUITABLE DISTRIBUTION OF PROPERTY

_____ CUSTODY

_____ ALIMONY PENDENTE LITE

_____ ALIMONY

_____ ATTORNEY FEES

If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served by entering a written appearance personally or by an attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so, the case may proceed against you and a decree of divorce or annulment may be entered against you by the Court. A judgment may also be entered against you for any other claims or relief requested in these papers by the Plaintiff. You may lose money or property or other rights important to you, including custody or visitation of your children.

IF YOU WISH TO FILE A CLAIM FOR ALIMONY, DIVISION OF PROPERTY, LAWYER'S FEES OR EXPENSES BEFORE A DIVORCE OR ANNULMENT IS GRANTED, BUT FAIL TO TAKE ACTION, 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 OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

**BUCKS COUNTY BAR ASSOCIATION
135 East State Street, Doylestown, PA 18901
(215) 348-9413 or (800) 273-2929**

AMERICANS WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of Bucks County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to individuals having business before the Court, please contact our office. All arrangements must be made at least 72 hours prior to any hearing or business before the court. You must attend the scheduled conference or hearing.

COUNSELING NOTICE

THE DIVORCE CODE OF PENNSYLVANIA REQUIRES THAT YOU BE NOTIFIED OF THE AVAILABILITY OF COUNSELING WHERE DIVORCE IS SOUGHT UNDER ANY OF THE FOLLOWING GROUNDS:

- 3301(a)(3)(6) Indignities
- 3301(c) Irretrievable breakdown, Mutual Consent
- 3301(d) Irretrievable breakdown, two-year separation where the Court determines that there is a reasonable prospect of reconciliation.

A list of certain professionals is available for inspection in the Branch Office of the Prothonotary, 100 N. Main Street, 1st Floor, Doylestown, Pennsylvania 18901

Date: _____

Signature of Plaintiff

Print name of Plaintiff

**IN THE COURT OF COMMON PLEAS OF BUCKS COUNTY, PENNSYLVANIA
FAMILY DIVISION**

_____ : A06-
(Plaintiff)

vs.

_____ : IN DIVORCE
(Defendant)

COMPLAINT UNDER SECTION 3301(c) OR 3301(d) OF THE DIVORCE CODE

1. Plaintiff is _____, who resides at the following address:
(name) _____ (street address, city, state, zip code)
2. Defendant is _____, who resides at the following address:
(name) _____ (street address, city, state, zip code)
3. _____ (Plaintiff and/or Defendant) has/have been a bona fide resident(s) in the
(name) Commonwealth for at least six (6) months immediately previous to the filing of this Complaint.
4. Plaintiff and Defendant were married on _____ at _____. A
(date of marriage) (city, state, county of marriage) true and correct copy of the marriage certificate is attached.
5. There has been no prior action for divorce or annulment instituted by either of the parties in this or any other jurisdiction.
6. Neither Plaintiff nor Defendant is in the military or naval service of the United States or its allies within the provisions of the Soldiers' and Sailors' Civil Relief Act of the Congress of 1940 and its Amendments.
7. This marriage is irretrievably broken pursuant to Section 3301(c) and/or 3301(d) of the Divorce Code, Act 1980-26, 23 Pa. C.S.A. et seq.
8. Plaintiff has been advised that counseling is available and that Plaintiff may have the right to request that the Court require that the parties participate in counseling.
9. Plaintiff requests that this Honorable Court enter a Decree in divorce.

I verify that the statements made in this Complaint 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 falsifications to authorities.

Date: _____

Signature of Plaintiff

FORM 2

ACCEPTANCE OF SERVICE

- You may provide this document to your spouse for signature if they will accept service of documents. Please see Pennsylvania Rule of Civil Procedure 1930.4(d) for more information.
- They must correctly identify the documents they are accepting from you.
- They must sign the document and print their name.
- The date on the document must be within 30 days of the filing of the Notice to Defend and Complaint in Divorce.

IN THE COURT OF COMMON PLEAS OF BUCKS COUNTY, PENNSYLVANIA
FAMILY DIVISION

_____ : A06-
(Plaintiff)

vs.

_____ : IN DIVORCE
(Defendant)

ACCEPTANCE OF SERVICE

Pursuant to Pa.R.C.P. 1930.4(d), I hereby accept service of the following documents on the date indicated below:

_____ Notice to Defend and Complaint in Divorce

_____ Affidavit Under Section 3301(d) of the Divorce Code and blank Counter-Affidavit Under Section 3301(d) of the Divorce Code.

_____ Other: _____

Date: _____

Signature

Print Name

FORM 3

AFFIDAVIT OF SERVICE AND AFFIDAVIT OF SIGNATURE

-If you are serving your spouse by regular mail and certified, restricted delivery, return receipt requested, please read Pennsylvania Rule of Civil Procedure 1930.4(c) carefully for more information.

-You will be required to attach a copy of the green card that you receive back from the post office after your spouse receives the documents from the post office.

-You must insert your name and state the date that you mailed the documents.

-You must list the name of the documents that you served. Use the exact title of the document.

-You must state the date that your spouse received the documents from the post office. This date must appear on the green card and it must be within 30 days (or 90 if the other party resides out of state) of the date you filed the complaint.

-By signing and dating this document, you are also verifying that it is your spouse's signature that appears on the green card.

**IN THE COURT OF COMMON PLEAS OF BUCKS COUNTY, PENNSYLVANIA
FAMILY DIVISION**

_____ : A06-
(Plaintiff)

vs.

_____ : IN DIVORCE
(Defendant)

AFFIDAVIT OF SERVICE AND AFFIDAVIT OF SIGNATURE

I, _____, hereby verify that on _____ day of _____, 20____,
(Insert your name) (Date) (Month)

Defendant was served with a true and correct copy of:

(Insert title of documents served on Defendant)

(Insert title of documents served on Defendant)

(Insert title of documents served on Defendant)

The above documents were served by the following method:

Service was made by the United States Postal Service, first class mail, postage prepaid, certified, restricted delivery, return receipt requested to the Defendant, on the _____ day of _____, 20____. The return receipt (postal green card) signed by Defendant is attached hereto.

I further hereby verify that I am familiar with Defendant's signature and I verify that the signature on the green card is that of the Defendant.

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 falsifications to authorities.

Date: _____

Signature

Print Name

FORM 4

AFFIDAVIT OF PERSONAL SERVICE

- Personal service upon your spouse can be completed by the sheriff or other competent adult. If you are serving your spouse by personal service, please read Pennsylvania Rule of Civil Procedure 1930.4(a) carefully for more information.

-If you are using the services of the sheriff or a professional process server, they will likely have their own Affidavit or Certificate of Service that they will provide to you once service is complete. File that document with the Prothonotary.

-If someone other than the sheriff or a professional process server will be serving your spouse, provide them with Form 4 which must be completed after service is completed. File the completed form with the Prothonotary.

-Please note that YOU CANNOT serve your spouse. Neither can any of your relatives or any of your employees. Although you cannot serve your spouse, you can request that they sign an acceptance of service (Form 2).

**IN THE COURT OF COMMON PLEAS OF BUCKS COUNTY, PENNSYLVANIA
FAMILY DIVISION**

_____ : A06-
(Plaintiff)

vs.

_____ : IN DIVORCE
(Defendant)

AFFIDAVIT OF PERSONAL SERVICE

I, _____, hereby depose that I am a competent adult 18
(insert name)
years or older, and am not a party to the action, nor an employee or relative of a party.

On _____, I personally served the defendant by handing him or her
(insert day, month and year)
a true and correct copy of :

_____ Complaint in Divorce, Notice to Defend and Claim Rights,
(select if applicable)
and Notice of Availability of Counseling;

_____ Other: _____
(select if applicable) (list document(s) served)

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 falsifications to authorities.

Date: _____

Signature of person who served Defendant
(not Plaintiff)

Print Name

(Insert street address)

(Insert city, state, zip code)

FORM 5

AFFIDAVIT OF CONSENT

-Two (2) Affidavits of Consent must be filed – one for each party – if you are proceeding under a mutual consent divorce pursuant to Section 3301(c) of the Divorce Code.

-These documents must be signed more than 90 days from the date that the Notice to Defend and Complaint in Divorce were SERVED on the other party.

-You must enter the correct dates in #1. If you leave #1 blank, or enter the wrong dates, the document will be rejected.

-The document must be signed and dated at the bottom of the page and don't forget to circle whether you are the plaintiff or the defendant.

**IN THE COURT OF COMMON PLEAS OF BUCKS COUNTY, PENNSYLVANIA
FAMILY DIVISION**

_____ : A06-
(Plaintiff)

vs.

_____ : IN DIVORCE – 3301(c)
(Defendant)

AFFIDAVIT OF CONSENT

1. A Complaint in Divorce, under Section 3301(c) of The Divorce Code, was filed on _____ and served on Defendant on _____.
(Date) (Date)
2. The marriage of Plaintiff and Defendant is irretrievably broken and 90 days have elapsed from the date of filing and service of the Complaint.
3. I consent to the entry of a final Decree in Divorce after service of the Notice of Intention to file Praecipe to Transmit the Record.

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

Date: _____
Name _____ Plaintiff/Defendant

FORM 6

WAIVER OF NOTICE OF INTENTION TO FILE PRAECIPE TO TRANSMIT RECORD

- Waivers must be filed by **BOTH** parties.
- Divorce Decree or a Grounds Order must be selected in #1. A grounds order is required if there are economic claims pending which have not yet been resolved. If you leave this blank, the document will be rejected.
- The document must be signed and dated at the bottom of the page and don't forget to circle whether you are the plaintiff or defendant.

**IN THE COURT OF COMMON PLEAS OF BUCKS COUNTY, PENNSYLVANIA
FAMILY DIVISION**

_____ : A06-
(Plaintiff)

vs.

_____ : IN DIVORCE
(Defendant)

**WAIVER OF NOTICE OF INTENTION TO FILE PRAECIPE TO TRANSMIT
RECORD**

1. Without further Notice, I consent to the entry of :

a final Decree of Divorce; or

an Order Approving Grounds for Divorce.

2. I understand that I may lose rights concerning alimony, equitable division of property, lawyer's fees, costs and expenses, or other important rights 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.

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

Date: _____

_____ Name

_____ Plaintiff / Defendant

FORM 7

NOTICE OF INTENTION TO FILE PRAECIPE TO TRANSMIT THE RECORD UNDER SECTION 3301(C) OF THE DIVORCE CODE

- This document is used if your spouse will not sign a Waiver of Notice (Form 6).
- You must provide your spouse with twenty (20) days' notice that you are seeking the entry of a final divorce decree.
- You must insert your spouse's name where indicated.
- You must insert a date twenty (20) days from the date you are mailing the document to the other party. For example, if you are mailing the document on January 1, 2020, you should insert January 21, 2020 or later on the blank line provided.
- The document must be signed and dated at the bottom. The date should be the date you are mailing the document to ensure you are providing the required twenty (20) days' notice.
- Don't forget to circle whether you are the plaintiff or defendant at the bottom of the page.

**IN THE COURT OF COMMON PLEAS OF BUCKS COUNTY, PENNSYLVANIA
FAMILY DIVISION**

_____ : A06-
(Plaintiff)

vs.

_____ : IN DIVORCE
(Defendant)

**NOTICE OF INTENTION TO FILE PRAECIPE TO TRANSMIT
THE RECORD UNDER SECTION 3301(c) OF THE DIVORCE CODE**

TO: _____
Name of non-moving party

You have signed an Affidavit of Consent under Section 3301(c) of the Divorce Code consenting to the entry of a Divorce Decree. Therefore, on or after _____, 20__, the other party can request the court to enter a final Decree in Divorce or, if there are unresolved ancillary claims, an order approving grounds for divorce as indicated on the proposed Praecipe to Transmit Record, which is attached.

Unless you have already filed with the court a written claim for economic relief, you must do so by the date in the paragraph above or the court may grant the divorce and you may 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.

**Bucks County Bar Association
135 East State Street
Doylestown, PA 18901
(215) 348-9413; 1 (800) 273-2929**

Date: _____

_____ Name _____ Plaintiff / Defendant

FORM 8

COUNTER-AFFIDAVIT UNDER SECTION 3301(C) OF THE DIVORCE CODE

-This blank document must be sent to the other party when you send them the Notice of Intention to File Praecipe to Transmit the Record Under Section 3301(c) (Form 7).

-The only information you need to fill in on this form is the caption.

**IN THE COURT OF COMMON PLEAS OF BUCKS COUNTY, PENNSYLVANIA
FAMILY DIVISION**

_____ : A06-
(Plaintiff)

vs.

_____ : IN DIVORCE
(Defendant)

**COUNTER-AFFIDAVIT UNDER
SECTION 3301(c) OF THE DIVORCE CODE**

I wish to claim economic relief, which may include alimony, division of property, lawyer's fees, costs and/or expenses, or other important rights.

I UNDERSTAND THAT I MUST ALSO FILE ALL OF MY ECONOMIC CLAIMS 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 FILE THE PRAECIPE TO TRANSMIT RECORD, THE DIVORCE DECREE OR ORDER APPROVING GROUNDS FOR DIVORCE MAY BE ENTERED WITHOUT FURTHER NOTICE TO ME, AND I MAY BE UNABLE THEREAFTER TO FILE ANY ECONOMIC CLAIMS.

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

Date: _____

Signature

Plaintiff/Defendant

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

FORM 9

PRAECIPE TO TRANSMIT THE RECORD

-It is very important that you complete all applicable sections of this document. If you leave an applicable section blank, the document will be rejected. If you insert an incorrect date, your document will be rejected.

-Please correctly state the relief you are seeking in the first section.

-#1: Correctly identify the grounds for divorce. Only one of the three options can be selected.

-#2(a): Insert the date the Notice to Defend and Complaint in Divorce were served upon your spouse.

-#2(b): Correctly identify the way in which you served your spouse with the Notice to Defend and Complaint in Divorce (Acceptance of Service, Personal Service or Certified Mail).

-#3: If you are proceeding under Section 3301(c)(1) you must insert the date each party signed the Affidavit of Consent in #3(a). You do not have to fill in any information in #3(a)(1), #3(a)(2) or #3(b). You can proceed to #4.

-#4: If you are seeking a divorce decree, state NONE on the blank space provided in #4. If you are seeking a grounds order, insert the economic claims pending (i.e. equitable distribution, alimony, and/or counsel fees). NOTE – these claims must have been previously filed with the Prothonotary.

-#5: If both parties signed Waiver of Notice of Intention to File the Praecipe to Transmit Record, you can skip #5(a) and enter the applicable information in #5(b). If you mailed the other party the Notice of Intention to File the Praecipe to Transmit Record, you must enter the date the documents were served and the manner in which you served them (i.e. mail, personal service, etc) in #5(a).

-The document must be signed and dated at the bottom of the page and don't forget to circle whether you are the plaintiff or defendant.

**IN THE COURT OF COMMON PLEAS OF BUCKS COUNTY, PENNSYLVANIA
FAMILY DIVISION**

_____ : A06-
(Plaintiff)

vs.

_____ : IN DIVORCE
(Defendant)

PRAECIPE TO TRANSMIT RECORD

TO THE PROTHONOTARY:

Transmit the record, together with the following information, to the court for entry of (check one of the following):

- a divorce decree;
- a divorce decree with marital settlement agreement attached;
- a bifurcated divorce decree with the Court retaining jurisdiction over unresolved ancillary claims; or
- an order approving grounds for divorce with the Court retaining jurisdiction over unresolved ancillary claims.

1. Check the applicable section of the Divorce Code.

Grounds for divorce: irretrievable breakdown under:

- Section 3301(c)(1)
- Section 3301(c)(2)
- Section 3301(d)

2. Service of the Complaint:

(a) Date served: _____.

(b) Manner of service: _____.

3. Complete either paragraph (a) or (b).

(a) Section 3301(c)(1) or (2) of the Divorce Code - Insert the date each party signed the Affidavit of Consent, and if the ground for divorce is under Section 3301(c)(2) of the Divorce Code, insert the date the spouse was convicted of the personal injury crime identified in 23 Pa.C.S. § 3103 next to the appropriate party and complete (1) and (2).

Plaintiff: _____;
Defendant: _____.

(1) The date the party signed the Affidavit to Establish Presumption of Consent under Section 3301(c)(2) of the Divorce Code: _____;
_____;

(2) The date of filing and manner of service of the Affidavit to Establish Presumption of Consent under Section 3301(c)(2) of the Divorce Code and a blank Counter-Affidavit under Section 3301(c)(2) upon the other party: _____.

(b) Section 3301(d) of the Divorce Code:

(1) The date the Affidavit under Section 3301(d) of the Divorce Code was signed: _____;

(2) Date of filing and manner of service of the Affidavit under Section 3301(d) of the Divorce Code and blank Counter-Affidavit under Section 3301(d) of the Divorce Code upon the other party:
_____.

4. Related ancillary claims pending: _____.

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

(a) Notice of Intention to File the Praecipe to Transmit Record:

(1) Date served: _____.

(2) Manner of service: _____.

(b) The date of filing of the party's Waiver of Notice of Intention to File the Praecipe to Transmit Record:

(1) Plaintiff's Waiver: _____.

(2) Defendant's Waiver: _____.

Date: _____

Name

Plaintiff / Defendant

FORM 10

DECREE

- DO NOT DATE THIS DOCUMENT. The judge will insert the date.
- This form must be submitted with the Praecipe to Transmit the Record (Form 9).
- Insert the parties' names and addresses in the caption where indicated.
- Insert the parties' names in the body of the document where indicated.
- If you are handwriting the information, PRINT LEGIBLY, or the document will be rejected

IN THE COURT OF COMMON PLEAS OF BUCKS COUNTY, PENNSYLVANIA
FAMILY DIVISION

Plaintiff Name

Street Address

City/State/Zip

: A06-

vs.

: SECTION 3301 ()

Defendant Name

Street Address

City/State/Zip

: IN DIVORCE

DECREE

AND NOW, this _____ day of _____, 20____,

Plaintiff, _____ and Defendant, _____
(Insert Name) (Insert Name)
are divorced from the bonds of matrimony.

BY THE COURT:

J.

FORM 11

DECREE INCORPORATING A PROPERTY SETTLEMENT AGREEMENT

- DO NOT DATE THIS DOCUMENT. The judge will insert the date.
- This form must be submitted with the Praeceptum to Transmit the Record (Form 9).
- Insert the parties' names and addresses in the caption where indicated.
- Insert the parties' names in the body of the document where indicated.
- Insert the date that the property settlement agreement was signed. The property settlement agreement with language incorporating the agreement into the decree must also be filed with the prothonotary.
- If you are handwriting the information, PRINT LEGIBLY, or the document will be rejected

**IN THE COURT OF COMMON PLEAS OF BUCKS COUNTY, PENNSYLVANIA
FAMILY DIVISION**

Plaintiff Name : A06-

Street Address

City/State/Zip

vs. : SECTION 3301 ()

Defendant Name

Street Address

City/State/Zip

: IN DIVORCE

DECREE

AND NOW, this _____ day of _____, 20____,

Plaintiff, _____ and Defendant, _____
(Insert Name) (Insert Name)
are divorced from the bonds of matrimony.

It is **Ordered** that the Property Settlement Agreement dated _____,
(Insert date)
is incorporated into this decree and order without merger, but subject to enforcement.

BY THE COURT:

J.

FORM 12

AFFIDAVIT UNDER SECTION 3301(d) OF THE DIVORCE CODE

-#1: Insert the date of separation.

-#2: Select the applicable statement regarding the date of separation.

-The document must be signed and dated at the bottom of the page and don't forget to circle whether you are the plaintiff or defendant.

**IN THE COURT OF COMMON PLEAS OF BUCKS COUNTY, PENNSYLVANIA
FAMILY DIVISION**

_____ : A06-
(Plaintiff)

vs.

_____ : IN DIVORCE – 3301(d)
(Defendant)

NOTICE

If you wish to deny any of the statements set forth in this Affidavit, you must file a Counter-Affidavit within twenty (20) days after this Affidavit has been served on you or the statements will be admitted.

AFFIDAVIT UNDER SECTION 3301(d) OF THE DIVORCE CODE

1. The parties to this action separated on _____.
2. Check either (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, costs and expenses, or other important rights, 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.

Date: _____

_____ Name

_____ Plaintiff/Defendant

FORM 13

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

-This blank document must be served on your spouse when you serve them with your Affidavit Under Section 3301(d) of the Divorce Code (Form 12).

-The only information you need to fill in on this form is the caption.

**IN THE COURT OF COMMON PLEAS OF BUCKS COUNTY, PENNSYLVANIA
FAMILY DIVISION**

_____ : A06-
(Plaintiff)

vs.

_____ : IN DIVORCE – 3301(d)
(Defendant)

**COUNTER-AFFIDAVIT UNDER
SECTION 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) or both):
- i. The parties to this action have not lived separate and apart for a period of at least one year. The date of separation is _____.
- ii. The marriage is not irretrievably broken.

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

- (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 costs and/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 costs and/or expenses, or other important rights.

I understand that in addition to checking 2(b) above, I must also file all of my economic claims 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 file the Praecipe to Transmit the Record, the Divorce Decree or Order Approving Grounds for Divorce may be entered without further notice to me, and I may be unable thereafter to file any economic claims.

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

I verify that the statements in this document are true and correct to the best of my knowledge, information, 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.

Date: _____

Plaintiff/Defendant

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

FORM 14

NOTICE OF INTENTION TO FILE PRAECIPE TO TRANSMIT THE RECORD UNDER SECTION 3301(d) OF THE DIVORCE CODE

- This document is used if your spouse will not sign a Waiver of Notice (Form 6)
- You must provide your spouse with twenty (20) days' notice that you are seeking the entry of a final divorce decree.
- You must insert your spouse's name where indicated on the "TO": line.
- You must insert a date twenty (20) days from the date you are mailing the document to your spouse. For example, if you are mailing the document on January 1, 2020, you should insert January 21, 2020 or later on the blank line provided.
- The document must be signed and dated at the bottom. The date should be the date you are mailing the document to ensure you are providing the required twenty (20) days' notice.
- Don't forget to circle whether you are the plaintiff or defendant at the bottom of the page.

**IN THE COURT OF COMMON PLEAS OF BUCKS COUNTY, PENNSYLVANIA
FAMILY DIVISION**

_____ : A06-
(Plaintiff)

vs.

_____ : IN DIVORCE – 3301(d)
(Defendant)

**NOTICE OF INTENTION TO FILE THE PRAECIPE TO TRANSMIT
THE RECORD UNDER SECTION 3301(d) OF THE DIVORCE CODE**

TO: _____
Name of non-moving party

You have been sued in an action for divorce. You have failed to answer the Complaint or file a Counter-Affidavit to the Affidavit Under Section 3301(d) of the Divorce Code. Therefore, on or after on or after _____, 20___, the other party can request the court to enter a final decree in divorce, or, if there are unresolved ancillary claims, an order approving grounds for divorce as indicated on the proposed Praecipe to Transmit the Record, which is attached.

If you do not file an Answer with your signature notarized or verified by the above date, the court can enter an Order approving grounds for divorce.

Unless you have already filed with the court a written claim for economic relief, you must do so by the date in the paragraph above or the court may enter and Order approving the grounds for divorce and you may 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.

**Bucks County Bar Association
135 East State Street
Doylestown, PA 18901
(215) 348-9413; 1 (800) 273-2929**

Date: _____

_____ Name

_____ Plaintiff/Defendant

FORM 15

CERTIFICATE OF SERVICE BY FIRST CLASS MAIL

- File this form for any document that you mail to the other party.
- Be sure to correctly identify any document listed as Other.
- The document must be signed and dated at the bottom of the page and don't forget to circle whether you are the plaintiff or defendant.

**IN THE COURT OF COMMON PLEAS OF BUCKS COUNTY, PENNSYLVANIA
FAMILY DIVISION**

_____ : A06-
(Plaintiff)

vs.

_____ : IN DIVORCE
(Defendant)

CERTIFICATE OF SERVICE BY FIRST CLASS MAIL

The undersigned hereby certifies that on this date, a true and correct copy of the following documents have been served:

Notice of Intention to File a Praecipe to Transmit the Record Under Section 3301(c)(1) or Section 3301(d) of the Divorce Code and blank Counter-Affidavit.

OTHER: _____

The undersigned hereby certifies that the above documents were served by U.S. First Class Mail to the following:

Spouse's Name

Street Address

City, State and Zip Code

Date: _____

Signature

Print Name Plaintiff/Defendant