



VIRGINIA LEGAL AID SOCIETY

SELF-HELP DIVORCE (also called *Pro Se* Divorce)

You **MAY** be able to prepare your own legal documents for filing a divorce in Virginia. There is an online program designed for the simplest uncontested “no-fault” divorces. You must meet very specific conditions in order to use it. As you make your way through the program, you will be told whether you are allowed to continue or not.

If you do not meet the qualifications for using the online self-help program, you may still be able to obtain a divorce in Virginia, but you will either need to get an attorney to assist you, or find some other way to do it on your own. It is almost always to your advantage to have an attorney’s assistance, to avoid loss of any rights you may have. Divorce is not an easy process; there is much you need to know about your rights and opportunities, the procedural steps, and what might happen if you do not do things correctly. If you do not address certain matters at the right time, you may be “waiving” (giving up) some of your rights and may not be able to address them later on.

Completion of the forms does not mean that you are automatically divorced, nor does it mean you’ve actually filed for divorce through the court. The program only allows for you to complete and print the legal documents you need. You will still need to file them with the Clerk of Circuit Court, and you will still need to have them properly served on your spouse before the divorce case can go forward. There are more steps beyond the filing and service of the papers that you will need to take before the divorce is final.

When you complete all the questions in the program, assuming you have not been “disqualified” from using it, the program will generate the forms you need, with all your personal information included. You will also be given detailed instructions as to the next steps you need to take in order to begin and finalize your divorce.

THIS INFORMATION IS NOT LEGAL ADVICE

Leslie Dodson,, Esq., 217 East Third Street, Farmville, VA 23901, is responsible for the contents of this publication.

How can I find the self-help documents I need to start my divorce?

Begin by visiting the following website: <http://www.valegalaid.org/divorce>

This website contains a link to the forms and the steps to complete them. When you arrive at the above website, click on “Do It Yourself Divorce.” Then follow the instructions, answer the questions, and carefully read all the help boxes that appear from time to time. Many of those boxes will tell you that you do not qualify to continue use of the program. Some of the boxes give a brief explanation of your legal rights and options. Read very carefully and pay special attention to all those boxes.

If you meet all the conditions, and have properly answered all the questions, the result will be the completed documents you will need. You will print those, and then proceed with the next steps to start your divorce.

What are some of the reasons I would NOT be able to use this self-help program?

You are **NOT** able to use the online self-help divorce program if:

1. You are seeking a divorce due to your spouse’s fault, such as adultery, cruelty, desertion, or abandonment. The program is to be used only for “no-fault” divorces.
2. The wife is pregnant.
3. Either spouse is in the military.
4. Your spouse is currently in jail or prison, living in a nursing home, or is in a psychiatric hospital.
5. Either spouse does not currently live in Virginia.
6. Neither spouse has lived in Virginia for at least the last six months.
7. You have been separated for less than 12 months (or six months, in certain situations).
8. You or your spouse has pension or retirement accounts, or you or your spouse were in the military during your marriage. (There may be a military pension or other benefits that should be considered in the divorce.)
9. If there are minor children (under age 18), if you do not have a court order or a valid Property Settlement Agreement that deals with such things as child support, spousal support, property, and debts, then you cannot use this program.
10. Other reasons you do not qualify may appear as you answer the questions in the program.

WARNINGS AND DISCLAIMERS!!

1. **This program was NOT developed by the Virginia Legal Aid Society (VLAS).**

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- 2. VLAS is not responsible for the accuracy of the self-help program, nor does VLAS maintain or update the program.**
- 3. Neither this document nor the websites are to be considered as legal advice for anyone's particular situation, but are only general information.**
- 4. VLAS will not provide any legal assistance for anyone who chooses to use this self-help process. VLAS staff will not answer questions, give advice or guidance, assist in the completion of the forms, assist in filing or serving the documents, or provide any other form of representation or assistance. The program is there for you to use on your own. Good luck to you, and best wishes.**

***THIS INFORMATION IS NOT LEGAL ADVICE.** Legal advice is dependent upon the specific circumstances of each situation. Therefore, the information contained in this pamphlet cannot replace the advice of competent legal counsel.*

Free Legal information by Web and Phone: www.vlas.org and
1-866-Leg1Aid (534-5243)

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