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## Do It Yourself Divorce in Virginia

You contacted Central Virginia Legal Aid Society (CVLAS) about filing an uncontested no-fault divorce. During your call, you were given several choices. You decided to file your divorce *pro se*. Filing your divorce *pro se* means you will be representing yourself. If you file your divorce *pro se*, CVLAS will not assist you in any way with a *pro se* divorce.

You may file your divorce *pro se* **only** if one of the following things is true:

(1) You have lived separate and apart, continuously and without interruption, for at least six months AND there are no minor children of the marriage AND you have taken care of all issues in a written separation agreement. All issues means child custody, child visitation, child support, spousal support (alimony), protective orders, child paternity, marital debts, marital property and pensions.

(2) You have lived separate and apart, continuously and without interruption, for at least one year AND there are no issues other than an uncontested no-fault divorce. Again, this means all other issues – child custody, child visitation, child support, spousal support (alimony), protective orders, child paternity, marital debts, marital property and pensions – have been taken care of or do not exist.

To file your divorce *pro se*, you first need to be at a computer that is connected to the internet and has a printer. You will need the following information about your spouse:

- Your spouse's full name, date of birth and Social Security number.
- Your spouse's physical address and your spouse's mailing address (if different).
- The County or Independent City where your spouse lives.
- The date of your marriage.
- The place of your marriage.
- The date when you last lived together as husband and wife.
- The place where you last lived together as husband and wife.

You also will need a witness in support of your *pro se* divorce. This witness must be 18 years of age or older and must have personally visited in the home of you and/or your spouse since your date of separation. This witness also must know you have lived separate and apart, continuously and without interruption, since your date of separation. You will need the following information about your witness:

- Your witness's full name.
- Your witness's physical address and your witness's mailing address (if different).

Once you are at your computer with all of the needed information, follow these instructions:

- (1) Start with website: <https://www.valegalaid.org/divorce>
- (2) Click on "Get Started"
- (3) A new tab will open. Read all of the instructions.
- (4) Scroll to the bottom and click "Start the Program"
- (5) You may choose to "Start as a Guest" or to "Create Account or Log in"

Read, completely understand and follow each step. The computer program – called Access to Justice, or A2J – will lead you through many steps to see if you can file your divorce *pro se*. This may take up to 30 minutes to complete.

If you can file your divorce *pro se*, at the end, you must print out a "Self-Help Divorce Packet." This packet has a quick checklist, detailed divorce packet instructions, and court papers.

**The AJ2 computer program does not file your divorce for you. Instead, you must read and follow all the divorce packet instructions.**

Please remember to read the divorce packet instructions. Also read the court papers – when you print them out, when you sign them, and when you submit them to the court.

You may contact an attorney of your choice should you have any questions about filing your divorce *pro se*, or any questions about your legal rights and your divorce.

If the AJ2 program says you cannot file your divorce *pro se*, you may contact CVLAS again for assistance with filing an uncontested no-fault divorce with an attorney.

If you find AJ2 too difficult to use, you may contact CVLAS again for assistance with filing an uncontested no-fault divorce with an attorney. However, CVLAS will not provide any assistance or advice about how to use A2J.

If you file your divorce *pro se* but have trouble finishing it, CVLAS will not provide any assistance or advice about how to complete your *pro se* divorce. However, you can dismiss your *pro se* divorce on your own. After dismissal, you may contact CVLAS again for assistance with filing an uncontested no-fault divorce with an attorney.