

**AFFIDAVIT – DEFAULT JUDGMENT  
SERVICEMEMBERS CIVIL RELIEF ACT**

Commonwealth of Virginia VA. CODE § 8.01-15.2

Case No. ....

RETURN DATE AND TIME

- Circuit Court  General District Court
 Juvenile and Domestic Relations District Court

CITY OR COUNTY

v./In re:

I, ....., the undersigned affiant, states the following under oath:

PRINT NAME

- The defendant/respondent  is in military service.  is not in military service.

The following facts support the statement above:

- The affiant is unable to determine whether or not the defendant/respondent is in military service. Pursuant to 50 U.S.C. app. § 521, if the court is unable to determine whether the defendant/respondent is in military service based upon the affiant’s statement, the court, before entering judgment, may require the plaintiff/petitioner to file a bond in an amount approved by the court.

DATE

AFFIANT’S SIGNATURE

The above-named affiant personally appeared this day before the undersigned, and upon duly being sworn, made oath that the facts stated in this affidavit are true to the best of his or her knowledge, information and belief.

DATE

CLERK  DEPUTY CLERK  MAGISTRATE  JUDGE  INTAKE OFFICER

**FOR NOTARY PUBLIC’S USE ONLY:**

State of .....  City  County of .....

Acknowledged, subscribed and sworn to before me this ..... day of ....., 20 .....

NOTARY REGISTRATION NUMBER

NOTARY PUBLIC (My commission expires: .....) )

**NOTICE REGARDING APPOINTMENT OF COUNSEL TO REPRESENT ABSENT SERVICEMEMBER:**

Where appointment of counsel is required pursuant to 50 U.S.C. app. § 521 or § 522, the court may assess attorneys’ fees and costs against any party, as the court deems appropriate, and shall direct in its order which of the parties to the case shall pay such fees and costs, except the Commonwealth unless it is the party that obtains the judgment.

**FOR COURT USE ONLY:**

**ORDER OF APPOINTMENT OF COUNSEL**

I find that appointment of counsel is required pursuant to 50 U.S.C. app. § 521 or § 522 and therefore, I appoint the lawyer indicated below to represent the absent servicemember named as defendant/respondent above.

NAME, ADDRESS OF COURT APPOINTED LAWYER

NEXT HEARING DATE AND TIME

DATE

JUDGE

**STAY OF PROCEEDINGS**

I find that a stay of proceedings is required pursuant to 50 U.S.C. app. § 521 and, therefore, such a stay, for a minimum period of 90 days, is ordered until .....

NEXT HEARING DATE AND TIME

DATE

JUDGE