

Virginia Special Immigrant Juvenile Status Practice Update: **HB 667**

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Overview of changes starting July 1, 2026

Under federal immigration law, an unmarried noncitizen young person up to 21 years old who has been abused, abandoned, or neglected by a parent may seek protection in the form of Special Immigrant Juvenile (SIJ) status. SIJ status provides a potential pathway to a green card.

For many years, the opportunity to petition the juvenile and domestic relations (JDR) court for custody and SIJ findings was generally only available to youth in Virginia up to 18 years of age. This year, after much advocacy, the General Assembly passed HB 667 that opens the process to youth up to 21 years of age - consistent with federal law!

What this bill does:

This new law **expands the definition of child in §§ 16.1-228 and 63.2-100**. It adds the following definition of a “child,” “juvenile,” or “minor”:

[F]or purposes of subsection A2 of § 16.1-241, an unmarried noncitizen between the ages of 18 and 21 who has been abused, abandoned, or neglected and for whom physical custody is sought under subsection A2 of § 16.1-241.

It also adds subsection (A2) in § 16.1-241 which allows “an unmarried noncitizen between the ages of 18 and 21 who has been abused, abandoned, or neglected” to petition a “court in either the jurisdiction in which the petitioning child resides or the jurisdiction in which the proposed custodian resides to be placed in the physical custody of a proposed custodian named in the petition.”

The nuts and bolts of the process are generally the same with only a few differences:

- **The 18-21 year-old is the petitioner:** The 18-21 year-old must petition the court for physical custody and ask the court for the Special Immigrant Juvenile Status findings.
- **The custodian:** The youth must also have a parent or other adult who can be the custodian willing to be included in the petition. The custodian must be willing and able to provide “physical care and supervision.” Va. Code § 16.1-241(A2) (citing Va. Code § 20-146.1).
- **Physical custody:** The petition is for *physical custody only*, defined as “the physical care and supervision of a child.” Va. Code § 20-146.1. This could be providing housing, food, transportation to medical appointments, assistance applying for or communicating with schools, and/or other support.

Where does this petition need to be filed?

The petition for physical custody and SIJS findings must be filed in juvenile and domestic relations court. Refer to Va. Code § 16.1-243(b) about venue for these cases.

What does this mean for the person ordered to be the “custodian”?

- The “custodian” is committing to provide “physical care and supervision.” Code § 16.1-241(A2) (citing Va. Code § 20-146.1). This could be providing housing, food, transportation to medical appointments, assistance applying for school, and other support.
- If the court-ordered custodian fails to comply with the civil court order, they could be held in contempt of court. Before someone can be held in contempt of court, there needs to be an evidentiary hearing in court where the person can defend themselves.

What notice is required?

According to the new law, both **(1) the petitioned-for custodian** and **(2) the person who had legal custody before the child’s 18th birthday must be served notice** (e.g., the parents). These might be the same people, for example, if the child is seeking for physical custody to be given to one of their parents.

When did this bill take effect?

July 1, 2026

Initial considerations for practitioners after July 1, 2026

(A1) is unchanged.

Subsection (A1) remains unchanged. Strategies and arguments that were available for under-18 youth prior to July 1, 2026, are still available.

And the over-18 child still seeks SIJ findings under A1. The statute explains: “Such child may, concurrently with a petition pursuant to this subsection or at a later time, petition the court for findings consistent with the provisions of subsection A1.”

Custody and SIJS petitions for under-18 youth remain unchanged.

The changes only affect custody petitions filed for the first time after someone turns 18. This bill does not amend the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA). The custody process for under-18 youth (citizen or noncitizen) remains the same. As (A2) reads: “Nothing in this subsection shall be construed to apply to a child under 18 years of age.”

Know your court.

Each JDR court has its own quirks and preferences. Speak to local practitioners.

Be prepared to answer questions and file additional evidence.

Practitioners should be prepared to respond to questions from JDR judges and Request for Evidence (RFEs) at U.S. Citizenship and Immigration Services (USCIS) as everyone adjusts to the new law. This has happened in states like MD and DC, after they expanded jurisdiction to allow predicate orders up to 21 years old.

If your client is about to turn 18 years old, there may be additional strategy calls to make.

For clients who are about to turn 18, practitioners might need to strategize whether to use the “continuing jurisdiction” language in subsection (A1) or to file under (A2) as an 18-21 year old. Keep in mind that under-18 custody petitions with SIJ findings and over-18 physical custody-only petitions might be considered separate causes of action.

This process is new, practitioners will need to adjust as we go.

The samples and guidance provided are just a starting place, make sure to stay up to date on local, state, and federal law and policy changes, and be sure to know what works for your court.

Best-interest considerations for this age group

Noncitizen youth 18-21 years old are particularly vulnerable, especially when they have been abused, neglected, or abandoned. These youth:

- Continue to feel the symptoms and heal from Adverse Childhood Experiences (ACEs).
- Are trying to navigate schools systems, health systems, consular services, and other aspects of society as they enter later adolescence.
- Are often learning English as a second or third language.
- Need support transitioning into adulthood and developing independent living skills.

When considering these petitions, judges should consider:

- The needs of older youth, including: financial support to provide for basic necessities, access to health insurance, a permanent address, transportation, stable role models, assistance navigating complex health and school systems, and emotional support as they continue to heal from ACEs.
- The impact of trauma on noncitizen youth who have been abused, abandoned, and neglected.
- The importance of a reliable caretaker and stable home environment.
- The youth's emotional and intellectual development needs.
- The educational and career goals of the youth.

Sources

Challenges and support needed by immigrant youth:

- Beyhan Ertanir et al., Crisis Migration Adverse Childhood Events: A New Category of Youth Adversity for Crisis Migrant Children and Adolescents, 51 RSCH. CHILD & ADOLESCENT PSYCHOPATHOLOGY 1871 (2023), <https://doi.org/10.1007/s10802-022-01016-x> (describing ACEs faced by youth who have migrated to escape crises, disaster, and other dangerous conditions).
- Saskia R. Vos et al., The Family Crisis Migration stress framework: A framework to understand the mental health effects of crisis migration on children and families caused by disasters, 2021 NEW DIRECTIONS FOR CHILD & ADOLESCENT DEV. 41 (2021), <https://doi.org/10.1002/cad.20397>.

Particular challenges for undocumented youth 18-21 who have been abused, abandoned, or neglected:

- Daniel P. Chapman, Robert F. Anda, & Shanta R. Dube, Adverse Childhood Events as Risk Factors for Negative Mental Health Outcomes. 37 PEDIATRIC ANNALS 359 (2007), <https://doi.org/10.3928/00485713-20070501-07>.
- Hirokazu Yoshikawa, Carola Suarez-Orozco, & Robert G. Gonzales, Unauthorized Status and Youth Development in the United States: Consensus Statement of the Society for Research on Adolescence, 27 J. RSCH. ON ADOLESCENCE 4 (2017), <https://doi.org/10.1111/jora.12272>.
- Roberto G. Gonzalez, Carola Suarez-Orozco, & Maria Cecilia Dedios-Sanguineti, No Place to Belong: Contextualizing Concepts of Mental Health Among Undocumented Immigrant youth in the United States, 57 AM. BEHAV. SCI. 1174 (2013), <https://doi.org/10.1177/0002764213487349> (discussing the impacts of pre- and post-migration trauma and stigmatization on undocumented young adults).

Protections needed for undocumented youth 18-21 who have been abused, abandoned, or neglected:

- Torin Herd et al., Individual and Social Risk and Protective Factors as Predictors of Trajectories of Post-traumatic Stress Symptoms in Adolescents, 51 RSCH. ON CHILD & ADOLESCENT PSYCHOPATHOLOGY 1739 (2023), <https://pmc.ncbi.nlm.nih.gov/articles/PMC10027627/> (study of a group of 14-19-year-old female youth who had been mistreated, finding among other things, that supportive social networks can enhance resiliency and protect from stress of adversity).

- Thomas M. Crea et al., Unaccompanied immigrant children in long term foster care: identifying needs and best practices from a child welfare perspective, 92 CHILD. & YOUTH SERVS. REV., 56 (2018) <https://doi.org/10.1016/j.chidyouth.2017.12.017> (examining the unique needs of unaccompanied immigrant children in foster care).
- Yesenia L. Zetino, Betsy E. Galicia, & Amanda Venta, Adverse Childhood Experiences, Resilience, and Emotional Problems in Latinx Immigrant Youth, PSYCHIATRY RESEARCH, no. 293, Sep. 16, 2020, at 1-6, <https://doi.org/10.1016/j.psychres.2020.113450> (study of immigrant youth aged 15 to 25 finding a correlation between familism and positive adaptation in Latinx immigrant youth).
- Ana-Maria Vranceanu, Stevan E. Hobfoll, & Robert J. Johnson., Child multi-type maltreatment and associated depression and PTSD symptoms: the role of social support and stress, 31 CHILD ABUSE & NEGLECT 71 (2007), <https://doi.org/10.1016/j.chiabu.2006.04.010>.

Sample Juvenile and Domestic Relations Court forms

These samples must be edited given the facts of each case, local court preferences, and updates in practice and policy at the state and federal levels.

What is included in these samples:

- Custody petition
- Order
- JDR court forms
 - Be sure to double check before you get started and check with the clerk's office at the court where you are filing
 - Note: some jurisdictions require two DC-511s

****SAMPLE ONLY****

**VIRGINIA:
IN THE JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT OF
FAIRFAX COUNTY**

IN RE:	)	Case No. JJ _____
	)	
CHILD DOE	)	DOB: 01/01/2006
Petitioner	)	
	)	
CUSTODIAN DOE	)	
Proposed Custodian	)	

PETITION FOR PHYSICAL CUSTODY

COMES NOW, **CHILD DOE** (hereinafter “child” or “**CHILD**”), by and through undersigned counsel, and respectfully petitions this Court for entry of an Order placing her under the physical custody of **CUSTODIAN DOE** (hereinafter “Proposed Custodian”) pursuant to Va. Code Ann. § 16.1-241(A2), and for entry of findings under Va. Code Ann. § 16.1-241(A1). In support thereof, **CHILD** states as follows:

I. JURISDICTION AND VENUE

This Court has jurisdiction over this matter because **CHILD** is a child as defined by Va. Code Ann. § 16.1-228 (“‘Child,’ ‘juvenile,’ or ‘minor’ means a person who is. . . (iii) for purposes of subsection A2 of § 16.1-241, an unmarried noncitizen between the ages of 18 and 21 who has been abused, abandoned, or neglected and for whom physical custody is sought under subsection A2 of § 16.1-241.”). Va. Code Ann. § 16.1-241(A2). Additionally, this Court has jurisdiction under Va. Code Ann. § 16.1-241(A1) to make specific findings required by federal law or state law to enable a child to apply for or receive a state or federal benefit. Venue is appropriate under Va. Code § 16.1-243(b) because [list basis for venue under Va. Code § 16.1-243(b)].

II. STATEMENT OF FACTS

CHILD was born on **January 1, 2006**, in **CITY, COUNTRY** to **MOTHER DOE** (hereinafter “Mother”) and **FATHER DOE** (hereinafter “Father”). Ex. A, Birth Certificate. **CHILD** is **twenty (20)** years old and unmarried. **CHILD** presently resides with **Proposed Custodian at 101 Main Street, Fairfax, VA 22030**.

[FACTS ABOUT LIFE IN HOME COUNTRY, ABUSE ABANDONMENT OR NEGLECT, AND COMING TO US]

[FACTS ABOUT LIFE IN US AND RELATIONSHIP WITH PROPOSED CUSTODIAN. Helpful information to include provision of financial and emotional support for an established timeframe and relationship to the child. Some examples may include personal care, household expenses, personal care, medical care, school supplies.]

III. ARGUMENT

A. Custody

In determining custody, the court shall give primary consideration to the best interests of the child. Va. Code Ann. § 20-124.2(B). Considering the best interest factors outlined in Va. Code Ann. § 20-124.3, it is in the best interests of **CHILD** that Proposed Custodian be granted physical custody.

[FACTS RELEVANT TO BEST INTEREST FACTORS FROM VA Code § 20-124.3]

B. Findings under Section 16.1-241(A1)

This Court is further empowered by Va. Code Ann. § 16.1-241(A1) to enter specific findings regarding the viability of **CHILD’s** reunification with her parents due to abuse, abandonment and/or neglect, as well as whether it is in her best interest to return to **COUNTRY** as they relate to her eligibility to apply for state and federal benefits. These findings are necessary

in this case to safeguard the welfare of this child, a “chief and paramount concern” of this Court. *See* Va. Code Ann. § 16.1-227. Jurisdiction to make these findings of fact is specifically conferred by Va. Code Ann. § 16.1-241(A1), and its exercise is consistent with the purpose and intent of this tribunal to protect the welfare of the child. Va. Code Ann. § 16.1-227.

CHILD is an “abused or neglected child” within the meaning of Va. Code Ann. § 16.1-228 because **CHILD’s** parents [**ABUSE, ABANDONMENT, NEGLECT FACTS**]. Due to this abuse, abandonment, or neglect, the reunification of **CHILD** with [one or both of her parents] is not viable.

It is not in **CHILD’s** best interest to be returned to **COUNTRY**, her country of nationality. If she were to return to **COUNTRY**, [**FACTS RELATED TO BEST INTEREST NOT TO RETURN**]. Rather, it is in **CHILD’s** best interest to remain in the United States under the physical custody of Proposed Custodian, which is **CHILD’s** reasonable preference. [**FACTS RELATED TO BEST INTEREST TO STAY IN US WITH PROPOSED CUSTODIAN, e.g., the needs of the older youth including financial support, access to healthcare, a permanent address, transportation, stable role models, navigating complex social systems, emotion support.**]

WHEREFORE, **CHILD** respectfully requests that this Court enter the Proposed Order attached as Exhibit D.

Respectfully Submitted,

CHILD DOE

By counsel

ATTORNEY, Esq. (VSB 12345)

Address

Address

T: 888.888.8888

F: 888.888.8888

name@email.com

SAMPLE: Exhibit List

*[Note for practitioners: **In lieu of affidavits, petition may be sworn to by petitioner and notarized.]*

- Exhibit A: Birth Certificate of **Child** with English translation
- Exhibit B: Affidavit/Declaration of Child, [Name]
- Exhibit C: Affidavit/Declaration of Proposed Custodian, [Name]
- Exhibit D: Proposed Order

****SAMPLE ONLY****

**VIRGINIA:
IN THE JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT OF
FAIRFAX COUNTY**

IN RE:

CHILD DOE

Petitioner

CUSTODIAN DOE

Proposed Custodian

)
)
)
)
)
)
)
)

Case No. JJ _____

DOB: 01/01/2006

ORDER

This matter came before the Court upon the Petition for Physical Custody of the above-named child **CHILD DOE** (hereinafter "**CHILD**"), by Counsel. Upon consideration of the pleadings, the best interest factors of the child as set forth in Va. Code Ann. § 20-124.3, and other evidence as may be before this court, the Court does therefore FIND:

THAT CHILD is a child as defined by Va. Code Ann. § 16.1-228 and that this Court has jurisdiction over the physical custody of the child pursuant to Va. Code Ann. § 16.1-241(A2).

THAT legal notice has been given to all proper and necessary parties; and that all provisions of the Juvenile and Domestic Relations District Court law have been duly complied with in assuming jurisdiction over the child; that the child is within the jurisdiction of this Court; that this Court has jurisdiction under Virginia law to make judicial determinations about the custody and care of juveniles; and all determinations have been made in accordance with the standards set forth in the Va. Code Ann. § 16.1-241(A2); § 16.1-241(A1); and § 16.1-243.

THAT CHILD DOE was born in **[CITY, COUNTRY]**, is under the age of twenty-one (21), and is unmarried.

THAT CHILD's biological parents are **FATHER DOE** (hereinafter "Father") and **MOTHER DOE** (hereinafter "Mother").

THAT CHILD was [abandoned, abused, and/or neglected] by [her/his] [father and/or mother]. **[FACTS RELATED TO ABUSE, ABANDONMENT OR NEGLECT]** **[CITE STATE**

LAW DEFINITION OF RELEVANT CONDUCT: *e.g.* Va. Code Ann. § 16.1-228; *see also Todd v. Copeland*, 689 S.E.2d 784, 794-95 (Va. App. 2010) (defining abandonment as “the renunciation or abdication of responsibility over the child . . . or a voluntary relinquishment [of the child] without cause”).

THAT [Repeat paragraph for each parent and each distinct ground of abuse, neglect, and/or abandonment, as applicable.]

THAT due to the above-listed [abandonment,abuse,and/or neglect], it is not viable for **CHILD** to be reunified with [father and/or mother]. Va. Code Ann. § 20-124.3.

THAT in consideration of Va. Code Ann. §§ 20-124.3, it is not in **CHILD’s** best interests to return to [her/his] country of nationality, **COUNTRY**. [FACTS RELATED TO BEST INTEREST NOT TO RETURN (*e.g.*, no suitable caretaker in country of nationality)]. Rather, it is in **CHILD’s** best interests to remain in the United States in the physical custody of **CUSTODIAN DOE** (hereinafter “Proposed Custodian”), [FACTS RELATED TO BEST INTEREST TO BE PLACED IN THE PHYSICAL CUSTODY OF PROPOSED CUSTODIAN].

The basis for the decision determining custody has been communicated to the parties orally or in writing. It is therefore

ADJUDGED, ORDERED and DECREED that the child, **CHILD DOE**, shall be placed under the physical custody of the Proposed Custodian, **CUSTODIAN DOE**. It is further

ORDERED that the Clerk of this Court shall furnish two (2) certified copies of this Order to Counsel of Record.

This Order is FINAL.

ENTERED THIS _____ DAY OF _____, 2026.

Hon.
Juvenile and Domestic Relations Court

I ASK FOR THIS:

ATTORNEY, Esq. (VSB 12345)

Address

Address

T: 888.888.8888

F: 888.888.8888

name@email.com

Counsel for Petitioner

PETITION

Commonwealth of Virginia VA. CODE §§ 16.1-262; 16.1-263

Case No.

DATE OF HEARING

Juvenile and Domestic Relations District Court

In re a Child under eighteen years of age

CHILD'S NAME 1.	SSN: 2.	DATE OF BIRTH 3.	AGE 3.	SEX M.F.	RACE
CHILD'S ADDRESS 4.			TELEPHONE NO.		
FATHER'S NAME 5.	SSN	DATE OF BIRTH	TELEPHONE NO.		
FATHER'S ADDRESS 6.					
MOTHER'S NAME 7.	SSN	DATE OF BIRTH	TELEPHONE NO.		
MOTHER'S ADDRESS 8.					
GUARDIAN/LEGAL CUSTODIAN OR PERSON IN <i>LOCO PARENTIS</i> NAME AND ADDRESS 9.				TELEPHONE NO.	
GUARDIAN'S /LEGAL CUSTODIAN OR PERSON IN <i>LOCO PARENTIS</i> RELATIONSHIP TO CHILD 10.					
OTHER(S) NAME AND ADDRESS 11.				TELEPHONE NO.	
12. Child held in CUSTODY [] Yes [] No					
13. Place of Detention or Shelter Care					
14. Date and Time Taken into Custody ____/____/____ ____:____ ____ m.			13. Date and Time Placed in Detention or Shelter Care ____/____/____ ____:____ ____ m.		
15. The above information is not known to the petitioner: No(s).					

I, the undersigned petitioner, state under oath to the best of my knowledge, that the above-named child is within the purview of the Juvenile and Domestic Relations District Court Law in that, within this city/county, the child:

and that this Court

(FOR ADMINISTRATIVE USE ONLY IN DELINQUENCY CASES) Virginia Crime Code:
WHEREFORE, the Petitioner requests that the child and the persons having his or her custody and control be summoned to appear before this Court, and that this Court enter such orders and judgments as the Court deems fit and proper in accordance with the law and which will serve the purpose and intent of the Juvenile and Domestic Relations District Court Law.

DATE

PETITIONER'S NAME (PRINT OR TYPE)

PETITIONER'S SIGNATURE

PETITIONER'S ADDRESS AND TELEPHONE NUMBER (COURT COPY ONLY)

Sworn/affirmed and signed before me on

Title:

Signature:

Filed by:
[] INTAKE OFFICER [] ATTORNEY

DATE

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 OF RIGHTS TO DESTRUCTION OF JUVENILE AND
DOMESTIC RELATIONS DISTRICT COURT RECORDS**

(Va. Code § 16.1-306)

■ Records relating to a proceeding where a juvenile is found guilty of a delinquent act which would be a felony if committed by an adult will not be destroyed.

■ Records related to other proceedings concerning a juvenile will be destroyed automatically when:

such juvenile is nineteen (19) years old or older and

five years have passed since the date of the last hearing in the case. However, if the juvenile was found guilty of an offense reportable to the Virginia Department of Motor Vehicles, the records shall not be destroyed until the juvenile is twenty-nine (29) years old.

■ You may request the earlier destruction of the court records in this case ONLY IF:

1. You were the subject of a delinquency or juvenile traffic proceeding, and
2. You were found innocent of the charge or the charge was otherwise dismissed, and
3. You file a motion with this court requesting destruction of the records connected with such charge with notice being given to the Commonwealth's Attorney.

Unless good cause is shown why the records should not be destroyed, this court shall grant the motion.

Case No.

[] Circuit Court
[] Juvenile and Domestic Relations District Court

In re:

JUVENILE

v.

I, the undersigned affiant, state the following information under oath:

[] Certain information has been omitted from this form and submitted under seal because I allege that the health, safety or liberty of a party or child would be jeopardized by disclosure. Another party may request that a hearing be held to determine whether this information should be disclosed.

1. The child presently resides at:
ADDRESS

The child commenced residing there on and has resided there continuously to this date.
DATE

2. The other places where and persons with whom this child has lived during the last five (5) years : (please complete reverse side).

3. I [] have [] have not participated, either as a party, witness, or in any other capacity in any other litigation (court proceeding) concerning custody of or visitation with this child, in any State or foreign country. If yes, complete below:

a. Name of Court and State or foreign country in which litigation occurred:

b. When did the litigation occur:

c. What was the outcome of the litigation:

d. Attach a copy of all pleadings and Orders filed in this litigation.

4. I [] do [] do not have knowledge or information of any proceeding that could affect this proceeding, including but not limited to custody, visitation, paternity, support, enforcement proceedings, proceedings related to domestic violence, protective orders, abuse and neglect, termination of parental rights and adoptions, which is pending in a court of this or any other State or foreign country. If yes, complete below:

a. Name of Court and State or foreign country in which proceeding is pending:

b. Attach a copy of all pleadings filed in the litigation.

5. I [] do [] do not know of any person who is not already named as a party in this proceeding who has physical custody of this child or who claims to have custody or visitation rights with respect to child. If yes:

a. Name and address of person:

b. Does this person have physical custody of the child? [] Yes [] No

c. State why you believe this person claims to have custody/visitation rights to the child:

6. I understand that I have an obligation to promptly inform this court if I later become aware of any other proceedings, including but not limited to custody, visitation, paternity, support, enforcement proceedings, proceedings related to domestic violence, protective orders, abuse and neglect, termination of parental rights and adoptions, either in this or any other State or foreign country that could affect the current proceeding.

Subscribed and sworn to before me on
DATE

SIGNATURE OF AFFIANT

Title:

SIGNATURE

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:)

AFFIDAVIT (continued) Question #2: Places where and persons with whom the child has lived during the last five (5) years.

DATE	ADDRESS WHERE CHILD RESIDED	PERSON WITH WHOM CHILD RESIDED	CURRENT ADDRESS OF PERSON WITH WHOM CHILD RESIDED
From			
To			
From			
To			
From			
To			
From			
To			
From			
To			
From			
To			
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From			
To			
From			
To			
From			
To			

**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, state the following:

PRINT NAME

☐ The defendant/respondent ☐ is in military service. ☐ is not in military service.
☐ The affiant is unable to determine whether or not the defendant/respondent is in military service.

The following facts support the statement above:

.....
Pursuant to 50 U.S.C. § 3931, 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.

Pursuant to Va. Code § 8.01-4.3, I declare, under penalty of perjury, that the above information is true and correct.

.....
DATE

.....
SIGNATURE

NOTICE REGARDING APPOINTMENT OF COUNSEL TO REPRESENT ABSENT SERVICEMEMBER:

Where appointment of counsel is required pursuant to 50 U.S.C. § 3931 or § 3932 or another section of the Servicemembers Civil Relief Act, the court may assess reasonable attorney fees and costs against any party as the court deems appropriate, including a party aggrieved by a violation of the Act, 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. Further, counsel appointed pursuant to the Servicemembers Civil Relief Act shall not be selected by the plaintiff or have any affiliation with the plaintiff.

FOR COURT USE ONLY:

☐ ORDER OF APPOINTMENT OF COUNSEL

I find that appointment of counsel is required pursuant to 50 U.S.C. § 3931 or § 3932 or another section of the Servicemembers Civil Relief Act and therefore, I appoint the lawyer indicated below to represent the absent servicemember named as defendant/respondent above.

☐ The lawyer shall be paid a fee of \$ for serving as counsel for the absent servicemember.

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. § 3931 and, therefore, such a stay, for a minimum period of 90 days, is ordered until

NEXT HEARING DATE AND TIME

.....
DATE

.....
JUDGE