

Legal Services of Northern Virginia Family

Information about LSNV's Family Practice

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Case Acceptance Guidelines:

The Family Law Practice Group of Legal Services of Northern Virginia strives to accept cases for in-court representation following the guidelines listed below as consistently as possible, taking into account the ever-changing posture of family law cases and our client's circumstances. The Practice Group is comprised of approximately ten (10) attorneys responsible for covering the JDR and Circuit courts for:

- ❑ Arlington County;
- ❑ Fairfax County;
- ❑ Alexandria City;
- ❑ Prince William County; and
- ❑ Loudoun County.

The Practice Group meets every two weeks to discuss case acceptance and review pending cases. Cases considered for in-court representation depend on the merit of the case, availability of the attorneys and a comparative analysis of other cases being handled or considered at the time by each of the Practice Group members.

JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT

Domestic Violence: serious abuse; protective order; custody; mental health, support and/or shelter for the client are at issue.

Custody and/or Visitation: Contested case; non-English speaking or otherwise unsophisticated client; attorney on the other side; difficult legal issues involved; and/or allegations of mental health problems, substance abuse, family abuse or child abuse or neglect.

Change of Custody and/or Visitation: For Petitioner: Contested case involving allegations of substance abuse, family abuse or child abuse for Petitioner where strong proof present; for Respondent where opposing party has attorney and Respondent appears to have meritorious case.

Child Support: Cases in which Practice Group members are representing on issues of protective orders or custody, we will provide representation to establish support unless Department of Child Support Enforcement (DCSE) is already actively pursuing support. We also consider cases to establish support in which custody is not highly contested or not at issue, but there are difficult issues of proof relevant to support, i.e. paternity, support enforcement, opposing party is self-employed, under-employed or unemployed, imputation of income or shared custody support calculation may be requested, or difficult legal issues involving DCSE.

Spousal Support: Cases in which Practice Group members are representing on issues of protective orders, custody or child support, issues of physical and/or mental disability present and meritorious request.

Changes in Support: Cases in which an increase or decrease is at issue depending on the merits of the case, i.e., change of circumstances include physical or mental disability of parent or child.

Foster Care: When, after a preliminary investigation of case facts, it appears the case has merit and immediate representation is necessary to protect client's rights and court-appointed attorney is not available.

Adoption: When, after a preliminary investigation of case facts, it appears the case has merit and immediate representation is necessary to protect client's rights in objecting to adoption. Staff attorneys from The Law Center for Children Project (TLC) of LSNV handle cases involving the adoption of children in foster care and adoptions by step-parents or other family members.

Emancipation: The Law Center for Children Project also handles emancipations for minors when, after preliminary investigation of case facts, it appears the case has merit and immediate representation is necessary to protect the client's rights and other representation is not available.

Practice Group members will provide representation at Status Hearings on occasion when temporary orders to stabilize the case or prepare the case for trial are essential and the client is unable to obtain these on their own.

CIRCUIT COURT

Practice Group members attempt to guide clients to the JDR Court for custody and support orders and then to the Circuit Court for an uncontested divorce in order to avoid complicated Circuit Court cases involving discovery, multiple motions and property issues. When a Practice Group member represents a client in a Circuit Court case, however, all issues raised in the divorce are usually handled by the attorney until the Final Order is entered as they cannot be bifurcated. These include custody, visitation, support, restraining orders, equitable distribution and dissolution of the marriage.

Divorce: For Defendant when:

Contested custody case involving non-English speaking client or otherwise unsophisticated client, opposing party has attorney, complicated issues of child and/or spousal support involved, and/or difficult issues involved such as allegations of mental health problems, substance abuse, family abuse or child abuse or neglect.

For Complainant when:

Cases involving domestic violence. Staff attorneys rarely will file a divorce on behalf of a client unless it is deemed necessary to send a message to an abuser that the relationship is over and private bar pro bono representation is not available.

Appeals from JDR Court: Refer to JDR Court guidelines above.

Pamphlets

[*Women and Families in Crisis*](#)
[Resource List](#) for *Women and Families in Crisis*

Forms

Circuit Court – Civil Actions (See also, Fairfax Circuit below)

Cover Sheet for Filing Civil Actions (CC 1416)
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Fairfax Circuit Court – Civil Actions

Civil Case Coversheet

Domestic Case Coversheet
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Friday Motions Day - Praecepte/Notice , Fairfax County Circuit Court (LSNV) (pdf)

Friday Motions Day - Response/Opposition to Motion , Fairfax County Circuit Court (LSNV) (pdf)
Calendar Control and Continuance Policy Procedures for a Civil Case (PDF)
Calendar Control Notice (fill-inable PDF)
Term Day Praecipe (fill-inable PDF)

Affirmation of Marriage

Petition to Affirm a Marriage (CIR) (LSNV) (pdf)
Final Order to Affirm a Marriage (CIR) (LSNV) (pdf)

Complaint

Complaint [One Year Separation] (CIR) (LSNV) (pdf)
Complaint [One Year Separation] (CIR) (LSNV) (Word)
Complaint [6 Months Separation] (CIR) (LSNV) (pdf)
Complaint [6 Months Separation] (CIR) (LSNV) (Word)
Sample Separation Agreement (CIR) (LSNV) (pdf)

Petition (For Custody/Paternity/Visitation)

Petition (JDR) (LSNV) (pdf)

Final Decree

Final Order [One Year Separation] (CIR) (LSNV) (pdf)
Final Order [One Year Separation] (CIR) (LSNV) (Word)
Final Order [6 Months Separation] (CIR) (LSNV) (pdf)
Final Order [6 Months Separation] (CIR) (LSNV) (Word)
Sample Separation Agreement (CIR) (LSNV) (pdf)

Marriage License Correction

Petition for Correction of a Marriage License (CIR) (LSNV) (pdf)
Order Petition for Correction of a Marriage License (CIR) (LSNV) (pdf)

Modify Visitation

Notice and Motion to Modify Visitation (JDR) (LSNV) (pdf)
Additional Information for Motion to Modify Visitation (LSNV) (pdf)

Name Change Order – Divorce

[Order for Change of Name - Divorce](#) (CIR) (LSNV) (pdf)

Ore Tenus

[Request For Ore Tenus Hearing](#) (CIR) (LSNV) (pdf)

Paternity – Acknowledgment

[Acknowledgement of Paternity](#) (Va. Department of Health) Form VS 22 7/04 (pdf)

Property Settlement and Separation Agreement

[Property Settlement and Separation Agreement](#) (CIR) (LSNV) (Word)

Protective Order Petition and Affidavit

[Petition and Affidavit Requesting a Protective Order](#) (Civil) (JDR) (LSNV) (pdf)

[Petition and Affidavit Requesting a Protective Order](#) (Civil) (JDR) (LSNV) (Word)

Support

Modify Support

[Notice and Motion to Modify Support](#) (JDR) (LSNV) (pdf)

[Additional Information, Notice and Motion to Modify Support in JDR Court](#) (LSNV)

[Notice and Motion to Modify Support](#) (CIR) (LSNV) (pdf)

[Additional Information Notice and Motion to Modify Support in Circuit Court](#) (LSNV)

Petition for Support

[Petition for Support](#) (Civil) (JDR) (LSNV) (pdf)

[Petition for Support](#) (Civil) (JDR) (LSNV) (Word)

[Petition for Support](#) (Civil) (English/Spanish Version) (JDR) (LSNV) (pdf)

Temporary Support

[Notice and Motion for Temporary Support](#) (JDR) (LSNV) (pdf)

[Notice and Motion for Temporary Support \(JDR\)](#) (LSNV) (Word)

[Additional Information](#) for Notice and Motion for Temporary Support (LSNV)

[Motion for Temporary Support](#) (CIR) (LSNV) (pdf)

Motion for Temporary Support (CIR) (LSNV) (Word)
Additional Information for Motion for Temporary Support in Circuit Court (LSNV)

Temporary Visitation

Notice and Motion for Temporary Visitation (JDR) (LSNV) (pdf)
Notice and Motion for Temporary Visitation (JDR) (LSNV) (Word)
Additional Information for Motion for Temporary Visitation (LSNV)

Transfer Venue or Matters

Notice and Motion to Transfer Venue to JDR Court (From one JDR Court to another JDR Court) (pdf)
Additional Information , Notice and Motion to Transfer Venue to JDR Court (LSNV)
Notice and Motion to Transfer Matters to Juvenile and Domestic Relations District Court (From Circuit to JDR) (LSNV) (pdf)
Order to Transfer Matters to Juvenile and Domestic Relations District Court (LSNV) (pdf)
Additional Information (Transfer Matters from Circuit to JDR) (LSNV)

Uniform Child Custody

Affidavit (Uniform Child Custody Jurisdiction and Enforcement Act) (CIR, JDR) [Form DC-620]
Affidavit (Uniform Child Custody Jurisdiction and Enforcement Act) Instructions (CIR, JDR) [Form DC-620]

Vital Records

Vital Records for Virginia and all other America - birth, death, marriage and divorce records

Waiver of Notice

Waiver of Notice (CIR) (LSNV) (pdf)

Fairfax County Circuit Court

Model Domestic Relations Court Orders (Word)
Pendente Lite Order (Word)

Spousal Support Order (Word)
Final Decree of Divorce (Word)
Name Change Order (Word)
Income Deduction Order (Word)