

**NOTICE OF COMMENCEMENT OF ACTION AND
REQUEST FOR WAIVER OF SERVICE OF PROCESS**
COMMONWEALTH OF VIRGINIA VA. CODE § 8.01-286.1

Case No.

[] Circuit Court
[] General District Court

..... v.
PLAINTIFF DEFENDANT

I, the undersigned [] plaintiff [] attorney for plaintiff hereby notify the [] defendant []
in the above-styled suit of the following:

1. An action in the above court has been commenced.
2. A copy of the following document(s) accompanies this Notice of Commencement of Action and Request for Waiver of Service of Process:
[] Complaint filed on
DATE
[] Other – Describe: filed on
DATE
3. An extra copy of this Notice of Commencement of Action and Request for Waiver of Service of Process and a prepaid means of compliance in writing is enclosed herein and sent on this date
DATE SENT
by the following means:

**NOTICE OF CONSEQUENCES OF COMPLIANCE AND FAILURE TO COMPLY WITH THIS REQUEST
PURSUANT TO VIRGINIA CODE § 8.01-286.1 BY THE PLAINTIFF FOR WAIVER OF SERVICE OF PROCESS BY
THE DEFENDANT:**

1. The defendant is allowed no more than 30 days from the date on which the request is sent, or 60 days if the defendant’s address is outside the Commonwealth, to return the waiver.
2. Upon failure by the defendant to comply with this request for waiver made by the plaintiff, the court shall impose the costs subsequently incurred in effecting service on the defendant, unless the defendant shows good cause for the failure to comply. These costs shall include, in addition to the costs for effecting service of process, other costs, including reasonable attorneys’ fees, of any motion required to collect the costs of service.
3. Upon timely return of the requested waiver of service of process, the defendant is not required to serve an answer or other responsive pleading to the complaint or other initial pleading until 60 days after the date on which this request for waiver of service was sent, or 90 days after that date if the defendant’s address is outside the Commonwealth of Virginia.
4. The defendant’s waiver of service of process in compliance with this request does not thereby waive any objection to the venue or to the jurisdiction of the court over the person of that defendant, or to any other defense or objection other than objections based on inadequacy of process or service of process.

.....
DATE [] PLAINTIFF [] ATTORNEY

.....
PRINT NAME

.....
ADDRESS/TELEPHONE NUMBER OF SIGNATOR