

**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