

Using This Revisable PDF Form

1. Copies
 - a. Original – to court.
 - b. First copy – to defendant.
2. Prepared by petitioner.
3. Attachments
 - a. Form DC-360, SHOW CAUSE SUMMONS, or
 - b. Form DC-631, CAPIAS.
4. Preparation details
 - a. This form may be used when charging someone with violating the terms of a court document (such as a witness ignoring a subpoena) or court order. Therefore, the subject of the Show Cause Summons process is called the Respondent.
 - b. Data Element No. 9 is not used for charging contempt for mere failure to comply with an order. It is used for failure to comply with terms of a suspended sentence. For contempt for failure to comply with an order, use Data Elements Nos. 11 through 14.
 - c. This form should name both the surety (if any) and the principal when breach of bail terms is alleged.
 - d. If the Respondent is not the defendant, this summons should be treated as a new case.
 - e. If additional information is to be typed on the reverse of the form, carbon paper must be inserted.
 - f. This form provides a formal mechanism for documenting complaints about violations of court orders when a show cause summons is requested. It is not intended to supplement the ability of the court to issue show cause summons on its own motion.

MOTION FOR SHOW CAUSE SUMMONS OR CAPIAS
COMMONWEALTH OF VIRGINIA

Case No. 1

2
HEARING DATE AND TIME

3 Juvenile and Domestic Relations District Court

This motion is filed in connection with Case No. 4

5 Party Making this Request: *v. / In re* Party to be Served:

6
NAME

7
NAME

ADDRESS/LOCATION

ADDRESS/LOCATION

TELEPHONE NUMBER

TELEPHONE NUMBER

The undersigned respectfully represents to the Court that the respondent should,

COMPLETE DATA BELOW IF KNOWN

RACE	SEX	BORN			HT.		WGT.	EYES	HAIR
		MO.	DAY	YR.	FT.	IN.			

SSN 8

9 [] pursuant to Va. Code § 19.2-306, serve the sentence previously suspended on _____ for conviction of _____ because _____

10 [] have his or her recognizance revoked or modified because of the following violation of conditions of release: _____

11 [] be imprisoned, fined or otherwise punished or dealt with according to law

12 [] pursuant to Va. Code §§ 18.2-456/16.1-69.24 for failure to obey an order of [] this Court [] ordering such act of the respondent being described as _____ on _____ DATE

13 [] pursuant to Va. Code [] §§ 18.2-456/16.1-69.24 [] § 19.2-358 [] § 19.2-305.2 (restitution only), for failure to pay fines, costs, forfeitures, restitution and/or penalties or an installment thereof; payment due: \$ _____ on _____ DATE

14 [] pursuant to Va. Code § 16.1-278.16 for failure to provide support as ordered on _____ \$ _____ per _____ with \$ _____ arrearage as of _____ DATE

15 [] pursuant to Va. Code § 16.1-292(A)(i) for failure to obey a child custody or visitation order of [] this Court [] ordering _____, such act of the respondent being described as _____ on _____ DATE

16 { [] pursuant to § 19.2-303.3, have his or her local community-based probation revoked or modified because _____
[] pursuant to § 19.2-304, have his or her probation period or conditions modified as follows: _____
because _____

17 [] pursuant to [] § 4.1-305 [] § 18.2-57.3 [] § 18.2-251 [] § 19.2-303.2, have his or her deferral of proceedings revoked and be subjected to the proceedings as provided by law because _____

18 [] (Other – Explain) _____

Therefore, the undersigned requests the issuance of process to the respondent to answer the above motion.

19
DATE

20
TITLE

21
SIGNATURE

Data Elements

1. Court case number.
2. Hearing date and time.
3. Court name.
4. Case number of underlying case.
5. Name of underlying case.
6. Name, street address and telephone number of party making request.
7. Name, street address and telephone number of party to be served.
8. Description of the party to be served.
9. If violation of conditions of suspended sentence is alleged, check this box, insert date of sentence suspended, conviction, and insert a description of the alleged violation of conditions. See Using This Form, 4.b.
10. If breach of bail conditions is alleged, check this box, and insert a description of the alleged breach of bail conditions. See Using This Form, 4.c.
11. Check this box if any of the Data Elements Nos. 12 through 15 is checked.
12. If respondent allegedly failed to obey some other type of order not covered by other data elements and summary contempt is sought, check this box, (if applicable) name the court whose order was violated, and describe the terms of the order that were allegedly violated.
13. If respondent allegedly failed to make a timely payment, check this box, and insert the amount of the payment due and its due date.
14. If respondent allegedly failed to pay support, check this box and insert the date support was ordered, the amount of current support, the type of payment interval, the arrearage, and the date to which the arrearage is calculated.
15. If respondent allegedly failed to obey a child custody or visitation order, name the court whose order was violated and describe the terms of the order what were allegedly violated, how the terms were allegedly violated, and on what date the alleged violation occurred.
16. If respondent has allegedly violated conditions of probation, check the box and describe the violation.
17. If respondent has allegedly violated conditions of an order for deferral, check the box and describe the violation.
18. Check this box and complete this section if other reasons exist for the issuance of a show cause summons or capias. If needed, continue on reverse side. See Using This Form, 4.e.
19. Date of signing of motion.
20. Title of person seeking the show cause.
21. Signature of person seeking the show cause.