

## No Fault Divorce under § 3301(d) of the Divorce Code

### STEP ONE: Live separate and apart

- Pennsylvania law requires you and your spouse to have lived separate and apart before the Court can grant a divorce under § 3301(d).
  - If the date of separation began before December 5, 2016, the parties must have lived separate and apart for a period of **two (2) years**.
  - If the date of separation began on or after December 5, 2016, the parties must have lived separate and apart for a period of **one (1) year**.

### STEP TWO: File the Complaint and Affidavit

- To begin any civil proceeding, including a divorce proceeding, you must file a Complaint with the Prothonotary, located on the lower level of the courthouse.
- The following five forms must be completed and filed:
  - Notice to Defendant and Claim Rights
    - This form gives the defendant notice of his or her rights and how to defend against your allegations.
  - Complaint in Divorce
    - Complete the Complaint by filling in the blanks. If a minor child is involved, identify him or her with initials.
  - Verification
    - This form indicates that the allegations in your Complaint are, to the best of your knowledge, true and correct.
    - This verification must be completed by you, not your attorney
  - Affidavit under Section 3301(d)
    - This form states that you and your spouse have, in fact, lived separate and apart for the applicable time period described above.
  - Blank Counter-Affidavit
    - This form allows the defendant to oppose the divorce and/or make claims for economic relief.
- Attach together Forms 1-5 into one packet, and make two (2) copies of the packet.
  - The original packet will be filed with the Prothonotary.
  - One (1) packet will be for your records.
  - One (1) packet will be served on the defendant.
- Take all three (3) packets to the Prothonotary for filing.
  - Give all three (3) packets to the clerk and ask him or her to timestamp them.
  - The clerk will keep the original packet for the official court file and will return the two copies to you.
- NOTE: if you cannot afford the filing fee associated with this proceeding, you must simultaneously file a request to proceed *in forma pauperis*.

### STEP THREE: Serve the Defendant and File Proof of Service

- After filing Forms 1-5 with the Prothonotary, you must serve these five forms on the defendant within:
  - Thirty (30) days of the date of filing if the defendant lives in Pennsylvania.
  - Ninety (90) days of the date of filing if the defendant lives outside Pennsylvania.
- Serve by certified mail, return receipt requested, restricted delivery.

- You must also complete, sign and file Affidavits and Certificates of Service, indicating that you have mailed the defendant the required forms.
  - When you receive the green card receipt, make a copy for your records and attach it to Form 6 before filing.
- NOTE: if you were unable to serve the defendant within the time requirements, you must file a Praecipe to Reinstate the Complaint to re-start the clock.

**STEP FOUR:** Wait twenty (20) days

- After serving and filing your proof of service, you must wait twenty (20) days from the date the defendant accepted service. This waiting period allows the defendant an opportunity to respond.

**STEP FIVE:** Notice of Intention

- After waiting twenty (20) days, you must file and serve the following three forms:
  - Cover Letter
  - Notice of Intention to Request Entry of Section 3301(d) Divorce Decree
  - Another Blank Counter-Affidavit
- After serving these documents, you must complete and file another Certification of Service indicating that Forms 8-10 were mailed to the defendant.

**STEP SIX:** Wait another twenty (20) days

- Pennsylvania law requires that you wait another twenty (20) days after serving the Notice of Intention.

**STEP SEVEN:** File a Praecipe to Transmit

- The divorce may be concluded by filing a Praecipe to Transmit Record
  - Attach copies of the Notice of Intention and Blank Counter-Affidavit to the Praecipe to Transmit.
  - Also include a proposed Divorce Decree and a certified copy of the docket entries.
  - If your spouse is unrepresented and has not responded, you will also need to file an Affidavit of Non-Military Service.

**IN THE COURT OF COMMON PLEAS OF NORTHAMPTON COUNTY  
COMMONWEALTH OF PENNSYLVANIA  
CIVIL DIVISION - LAW**

**PLAINTIFF'S NAME,**

**Plaintiff,**

**vs.**

**DEFENDANT'S NAME,**

**Defendant.**

**No.: DOCKET NUMBER**

**NOTICE TO DEFEND AND CLAIM RIGHTS**

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take prompt action. You are warned that if you fail to do so, the case may proceed without you and a decree of divorce or annulment may be entered against you by the court. A judgement may also be entered against you for any other claim or relief requested in these papers by the plaintiff. You may lose money or property or other rights important to you, including custody of your children.

When the ground for divorce is indignities or irretrievable breakdown of the marriage, you may request marriage counseling. A list of marriage counselors is available in the Office of the Prothonotary at the Northampton County Courthouse, 1<sup>st</sup> Floor, 669 Washington Street, Easton, Pennsylvania, 18042.

IF YOU DO NOT FILE A CLAIM FOR ALIMONY, DIVISION OF PROPERTY, LAWYER'S FEES OR EXPENSES BEFORE A DIVORCE OR ANNULMENT IS GRANTED, YOU MAY LOSE THE RIGHT TO CLAIM ANY OF THEM.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

**LAWYER REFERRAL SERVICES  
155 SOUTH NINTH STREET  
EASTON, PA 18042  
(610)-258-6333**

**IN THE COURT OF COMMON PLEAS OF NORTHAMPTON COUNTY  
COMMONWEALTH OF PENNSYLVANIA  
CIVIL DIVISION - LAW**

**PLAINTIFF'S NAME,**

**Plaintiff,**

**vs.**

**DEFENDANT'S NAME,**

**Defendant.**

**No.: DOCKET NUMBER**

**COMPLAINT UNDER SECTION 3301(d) OF THE DIVORCE CODE**

**AND NOW**, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, comes Plaintiff

\_\_\_\_\_, who files this Complaint in Divorce a

statement of which follows:

1. Plaintiff is \_\_\_\_\_ (Name), an adult individual currently residing at \_\_\_\_\_ (Address), \_\_\_\_\_ (City), \_\_\_\_\_ (County) \_\_\_\_\_ (State/Zip) since \_\_\_\_\_ (Date).
2. Defendant is \_\_\_\_\_ (Name), an adult individual currently residing at \_\_\_\_\_ (Address), \_\_\_\_\_ (City), \_\_\_\_\_ (County) \_\_\_\_\_ (State/Zip) since \_\_\_\_\_ (Date).
3. \_\_\_\_\_ (Plaintiff and/or Defendant) has/have been a bona fide resident(s) in the

Commonwealth for at least six (6) months immediately previous to the filing of this Complaint.

4. Plaintiff and Defendant were married on \_\_\_\_\_ (Date) at \_\_\_\_\_ (City) \_\_\_\_\_ (State/County).
5. There have been no prior actions of divorce or for annulment between the parties except \_\_\_\_\_.
6. Plaintiff avers that the marriage is irretrievably broken.
7. Plaintiff avers that Defendant is not a member of the armed services of the United States and so the protections afforded under the Service members Civil Relief Act are not applicable.
8. Plaintiff has been advised that counseling is available and that plaintiff may have the right to request that the court require the parties to participate in counseling.
9. \_\_\_\_\_ Plaintiff avers that there are no children of the parties under the age of eighteen (18).  
\_\_\_\_\_ Plaintiff avers that there is/are child(ren) of the parties under the age of eighteen (18).

Name

Birthdate

**WHEREFORE**, Plaintiff requests this Honorable Court to enter a Decree in Divorce upon the following grounds:

A. Plaintiff avers that the marriage between the parties is irretrievably broken within the meaning of 23 Pa.C.S.A. §3301(d) of the Divorce Code, the parties separated after December 5, 2016, and the parties will have lived separate and apart for a period of at least one (1) year at the time of hearing of this matter and /or at the time that the Plaintiff will file an Affidavit under 23 Pa.C.S.A. § 3301 (d) of the Divorce Code.

**OR**

B. Plaintiff avers that the marriage between the parties is irretrievably broken within the meaning of 23 Pa.C.S.A. § 3301(d) of the Divorce Code, and the parties separated before December 5, 2016, and have continued to live separate and apart for a period of at least two (2) years at the time of hearing of this matter and/or at the time that the Plaintiff will file an Affidavit under 23 Pa.C.S.A. § 3301 (d) of the Divorce Code.

**VERIFICATION**

I, \_\_\_\_\_, verify that the statements made in this Pleading are true and correct. I understand that false statements herein made are subject to the penalties of 18 Pa.C.S.A. § 4904 relating to unsworn falsification to authorities.

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Plaintiff's Signature)

**IN THE COURT OF COMMON PLEAS OF NORTHAMPTON COUNTY  
COMMONWEALTH OF PENNSYLVANIA  
CIVIL DIVISION - LAW**

**PLAINTIFF'S NAME,**

**Plaintiff,**

**vs.**

**DEFENDANT'S NAME,**

**Defendant.**

**No.: DOCKET NUMBER**

**NOTICE TO DEFENDANT**

If you wish to deny any of the statements set forth in this affidavit, you must file a counter-affidavit within 20 days after this affidavit has been served on you or the statements will be admitted.

**AFFIDAVIT UNDER SECTION 3301(d) OF THE DIVORCE CODE**

1. The parties to this action separated on \_\_\_\_\_ (date).
2. Check (a) or (b):
  - (a) The date of separation was prior to \_\_\_\_\_ December 5, 2016, and the parties have continued to live separate and apart for a period of two years.
  - (b) The date of separation was on or after \_\_\_\_\_ December 5, 2016, and the parties have continued to live separate and apart for at least one year.
3. The marriage is irretrievably broken.



4. I understand that I may lose rights concerning alimony, division of property, lawyer's fees, costs and expenses, or other important rights if I do not claim them before a divorce is granted.

**VERIFICATION**

I, \_\_\_\_\_, verify that the statements made in this affidavit are true and correct. I understand that false statements herein made are subject to the penalties of 18 Pa.C.S.A. § 4904 relating to unsworn falsification to authorities.

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Plaintiff's Signature)

**IN THE COURT OF COMMON PLEAS OF NORTHAMPTON COUNTY  
COMMONWEALTH OF PENNSYLVANIA  
CIVIL DIVISION - LAW**

**PLAINTIFF'S NAME,**

**Plaintiff,**

**vs.**

**DEFENDANT'S NAME,**

**Defendant.**

**No.: DOCKET NUMBER**

**COUNTER-AFFIDAVIT UNDER SECTION 3301(d) OF THE DIVORCE CODE**

1. Check either (a) or (b):

- (a) I do not oppose the entry of a divorce decree.
- (b) I oppose the entry of a divorce decree because:

Check (i), (ii), (iii) or all:

- (i) The parties to this action have not lived separate and apart for the required separation period: two years for parties that separated prior to December 5, 2016, and one year for parties that separated on or after December 5, 2016.
- (ii) The marriage is not irretrievably broken.
- (iii) There are economic claims pending.

2. Check (a), (b) or (c):

- (a) I do not wish to make any claims for economic relief.
- (b) I wish to claim economic relief, which may include alimony, division of property, lawyer's fees, costs and expenses, or other important rights.

I UNDERSTAND THAT IN ADDITION TO CHECKING (2)(b), I MUST ALSO FILE ALL OF MY ECONOMIC CLAIMS IN WRITING AND SERVE THEM ON THE OTHER PARTY. IF I FAIL TO DO SO BEFORE THE DATE SET FORTH ON THE NOTICE OF INTENTION TO FILE THE PRAECIPE TO TRANSMIT RECORD, THE DIVORCE DECREE OR ORDER APPROVING GROUNDS FOR DIVORCE MAY BE ENTERED WITHOUT FURTHER NOTICE TO ME, AND I MAY BE UNABLE THEREAFTER TO FILE ANY ECONOMIC CLAIMS.

- (c) Economic claims have been raised and are not resolved.

**VERIFICATION**

I, \_\_\_\_\_, verify that the statements made in this affidavit are true and correct. I understand that false statements herein made are subject to the penalties of 18 Pa.C.S.A. § 4904 relating to unsworn falsification to authorities.

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Signature)

**IN THE COURT OF COMMON PLEAS OF NORTHAMPTON COUNTY  
COMMONWEALTH OF PENNSYLVANIA  
CIVIL DIVISION - LAW**

**PLAINTIFF'S NAME,**

**Plaintiff,**

**vs.**

**DEFENDANT'S NAME,**

**Defendant.**

**No.: DOCKET NUMBER**

**AFFIDAVIT OF SERVICE OF COMPLAINT AND NOTICE TO DEFEND**

**AND NOW**, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the undersigned, Plaintiff, hereby certifies that the Complaint in Divorce and Notice to Defend and Claim Rights was mailed to the Defendant by Certified Mail, Restricted Delivery and same was received on \_\_\_\_\_ (date), a copy of which is attached hereto as Exhibit "A" and made part hereof.

**VERIFICATION**

I, \_\_\_\_\_, verify that the statements made in this affidavit are true and correct. I understand that false statements herein made are subject to the penalties of 18 Pa.C.S.A. § 4904 relating to unsworn falsification to authorities.

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Plaintiff's Signature)

# EXHIBIT A

**IN THE COURT OF COMMON PLEAS OF NORTHAMPTON COUNTY  
COMMONWEALTH OF PENNSYLVANIA**

**CIVIL DIVISION - LAW**

**PLAINTIFF'S NAME,**

**Plaintiff,**

**vs.**

**DEFENDANT'S NAME,**

**Defendant.**

**No.: DOCKET NUMBER**

**AFFIDAVIT OF SERVICE**

Attach the Domestic Return Receipt here (green post card)  
Defendant's signature and date of delivery side up.

**IN THE COURT OF COMMON PLEAS OF NORTHAMPTON COUNTY  
COMMONWEALTH OF PENNSYLVANIA  
CIVIL DIVISION - LAW**

**PLAINTIFF'S NAME,**

**Plaintiff,**

**vs.**

**DEFENDANT'S NAME,**

**Defendant.**

**No.: DOCKET NUMBER**

**CERTIFICATION OF SERVICE**

**I, \_\_\_\_\_ (name), certify that I have served a copy of the attached Affidavit of Service of Complaint and Notice to Defend and a blank copy of the Counter-Affidavit under § 3301(d) in the above-captioned matter to:**

\_\_\_\_\_  
\_\_\_\_\_

on \_\_\_\_\_ (date) by First Class United States Mail.

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Signature)

[DATE]

[DEFENDANT'S NAME]  
[DEFENDANT'S ADDRESS]

**Re: Notice of Intention to Request Divorce Decree and Blank Copy of Counter-Affidavit**

Dear \_\_\_\_\_ (Defendant's Name),

Pursuant to divorce action (*File Number*), enclosed is a time-stamped copy of Plaintiff's Notice of Intention to File the Praeceptum to Transmit Record Under Section 3301(d) of the Divorce Code and a blank copy of the Counter-Affidavit form required by Pa.R.C.P. 1920.42(c)(1).

Sincerely,

\_\_\_\_\_ (Plaintiff's Signature)

\_\_\_\_\_ (Plaintiff's Printed Name)

Enclosures to this letter:

1. Notice of Intention to Praeceptum to Transmit Record Under Section 3301(d) of the Divorce Code
2. Blank Counter-Affidavit

**IN THE COURT OF COMMON PLEAS OF NORTHAMPTON COUNTY  
COMMONWEALTH OF PENNSYLVANIA  
CIVIL DIVISION - LAW**



**PLAINTIFF'S NAME,**

**Plaintiff,**

**vs.**

**DEFENDANT'S NAME,**

**Defendant.**

**No.: DOCKET NUMBER**

**NOTICE OF INTENTION TO FILE THE PRAECIPE TO TRANSMIT RECORD  
UNDER SECTION 3301(d) OF THE DIVORCE CODE**

TO: \_\_\_\_\_ (Defendant)

You have been sued in an action for divorce. You have failed to answer the complaint or file a counter-affidavit to the Affidavit under Section 3301(d) of the Divorce Code. Thereafter, on or after \_\_\_\_\_, 20\_\_\_\_\_, the other party can request the court to enter a final decree in divorce or, if there are unresolved ancillary claims, an order approving grounds for divorce as indicated on the proposed Praecipe to Transmit Record, which is attached.

If you do not file with the Clerk of Courts-Civil Division an answer with your signature notarized or verified by the above date, the court can enter a final decree in divorce or, if there are unresolved or ancillary claims, an order approving grounds for divorce.

Unless you have already filed with the court a written claim for economic relief, you must do so by the above date, or the court may grant the divorce or an order approving grounds for divorce and you may lose forever the right to ask for economic relief. The filing of the form counter-affidavit alone does not protect your economic claims.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

**ATTORNEY REFERRAL & INFORMATION SERVICES  
155 SOUTH NINTH STREET  
EASTON, PA 18042-4399  
TELEPHONE: 610-258-6333**

**IN THE COURT OF COMMON PLEAS OF NORTHAMPTON COUNTY  
COMMONWEALTH OF PENNSYLVANIA  
CIVIL DIVISION - LAW**

**PLAINTIFF'S NAME,**

**Plaintiff,**

**vs.**

**DEFENDANT'S NAME,**

**Defendant.**

**No.: DOCKET NUMBER**

**COUNTER-AFFIDAVIT UNDER SECTION 3301(d) OF THE DIVORCE CODE**

1. Check either (a) or (b):

- (a) I do not oppose the entry of a divorce decree.
- (b) I oppose the entry of a divorce decree because:

Check (i), (ii), (iii) or all:

- (i) The parties to this action have not lived separate and apart for the required separation period: two years for parties that separated prior to December 5, 2016, and one year for parties that separated on or after December 5, 2016.
- (ii) The marriage is not irretrievably broken.
- (iii) There are economic claims pending.

2. Check (a), (b) or (c):

- (a) I do not wish to make any claims for economic relief.
- (b) I wish to claim economic relief, which may include alimony, division of property, lawyer's fees, costs and expenses, or other important rights.

I UNDERSTAND THAT IN ADDITION TO CHECKING (2)(b), I MUST ALSO FILE ALL OF MY ECONOMIC CLAIMS IN WRITING AND SERVE THEM ON THE OTHER PARTY. IF I FAIL TO DO SO BEFORE THE DATE SET FORTH ON THE NOTICE OF INTENTION TO FILE THE PRAECIPE

TO TRANSMIT RECORD, THE DIVORCE DECREE OR ORDER APPROVING GROUNDS FOR DIVORCE MAY BE ENTERED WITHOUT FURTHER NOTICE TO ME, AND I MAY BE UNABLE THEREAFTER TO FILE ANY ECONOMIC CLAIMS.

- (c) Economic claims have been raised and are not resolved.

**VERIFICATION**

I, \_\_\_\_\_, verify that the statements made in this affidavit are true and correct. I understand that false statements herein made are subject to the penalties of 18 Pa.C.S.A. § 4904 relating to unsworn falsification to authorities.

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Signature)

**IN THE COURT OF COMMON PLEAS OF NORTHAMPTON COUNTY  
COMMONWEALTH OF PENNSYLVANIA  
CIVIL DIVISION - LAW**

**PLAINTIFF'S NAME,**

**Plaintiff,**

**vs.**

**DEFENDANT'S NAME,**

**Defendant.**

**No.: DOCKET NUMBER**

**CERTIFICATION OF SERVICE**

I, \_\_\_\_\_ (name), certify that I have served a copy of the attached Notice of Intention to File the Praecipe to Transmit Record under § 3301(d) and Second Counter-Affidavit in the above-captioned matter to:

\_\_\_\_\_  
\_\_\_\_\_

on \_\_\_\_\_ (date) by First Class United States Mail.

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Signature)

**IN THE COURT OF COMMON PLEAS OF NORTHAMPTON COUNTY  
COMMONWEALTH OF PENNSYLVANIA  
CIVIL DIVISION - LAW**

**PLAINTIFF'S NAME,**

**No.: DOCKET NUMBER**

**Plaintiff,**

**vs.**

**DEFENDANT'S NAME,**

**Defendant.**

**PRAECIPE TO TRANSMIT RECORD**

To the Clerk of Courts-Civil Division

Transmit the record, together with the following information, together with the following information, to the Court for entry of a divorce decree:

1. Ground for divorce: irretrievable breakdown under Section (3301(c)) (3301(d)(1)) of the Divorce Code. (Strike out applicable section.)
2. Date and Manner of Service of the Complaint and Notice to Defendant to Claim Rights:  
  
Date of Service:  
  
Manner of Service:
3. Execution of required affidavits. Complete either paragraph (a) or (b).

\_\_\_\_\_(a) § 3301(c) of the Divorce Code  
Date of execution of the affidavits of consent:

Date Affidavit of consent was filed by plaintiff:

Date Affidavit of consent was filed by defendant:

\_\_\_\_\_(b) § 3301(d) of the Divorce Code

- (1) Date of execution of the Notice to Defendant-Plaintiff's Affidavit under § 3301(d):

(2) Date of filing of the Notice to Defendant-Plaintiff's Affidavit Under § 3301(d):

(3) Date of service of the Notice to Defendant-Plaintiff's Affidavit under § 3301(d):

4. Related claims pending: None

5. Waiver of Notice/Notice of Intention. Complete either paragraph (a) or (b).

\_\_\_\_\_ (a) § 3301(c) of the Divorce Code:

(1) Date Plaintiff's Waiver of Notice was filed with the Civil Division:

(2) Date Defendant's Waiver of Notice was filed with the Civil Division:

\_\_\_\_\_ (b) § 3301(d) of the Divorce Code:

Notice of Intention to request Divorce Decree and blank copy of Counter Affidavit, a copy of which is attached:

Date of Service:

Manner of Service:

6. Attached hereto are:

(1) A copy of the docket entries, certified by counsel (or by the Clerk of Courts—Civil) to be a true and correct copy of the original docket entries;

(2) The original proposed divorce decree (including a copy of the pre-nuptial or post-nuptial agreement, which is requested to be incorporated by reference in said decree);

(3) The completed form required by the Commonwealth of Pennsylvania, Department of Health, Bureau of Vital Statistics;

(4) The completed Affidavit of Non-Military Service under the Soldiers and Sailors Civil Relief Act of 1940, 50 U.S.C.A. App. Sec. 520, if required by Rule 1920.46.

---

(Signature)

---

(Print Name)

**IN THE COURT OF COMMON PLEAS OF NORTHAMPTON COUNTY  
COMMONWEALTH OF PENNSYLVANIA  
CIVIL DIVISION - LAW**



**PLAINTIFF'S NAME,**

**Plaintiff,**

**vs.**

**DEFENDANT'S NAME,**

**Defendant.**

**No.: DOCKET NUMBER**

**DECREE**

**AND NOW**, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, it is hereby **ORDERED** and **DECREED** that Plaintiff \_\_\_\_\_ (name) and Defendant \_\_\_\_\_ (name), are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

Any existing spousal support order shall hereafter be deemed an order for alimony pendente lite if any economic claims remain pending.

**BY THE COURT:**

\_\_\_\_\_  
**(Judge's Name)**

**IN THE COURT OF COMMON PLEAS OF NORTHAMPTON COUNTY  
COMMONWEALTH OF PENNSYLVANIA  
CIVIL DIVISION - LAW**

**PLAINTIFF'S NAME,**

**No.: DOCKET NUMBER**

**Plaintiff,**

**vs.**

**DEFENDANT'S NAME,**

**Defendant.**

**PLAINTIFF'S AFFIDAVIT UNDER THE SOLDIERS AND SAILORS CIVIL  
RELIEF ACT OF 1940**

1. The undersigned is the plaintiff in the above-captioned action.
2. The undersigned personally knows the defendant \_\_\_\_\_  
is over the age of 18 years and that (s)he resides at  
\_\_\_\_\_ and that (s)he is employed as  
a \_\_\_\_\_ (occupation) at \_\_\_\_\_  
(name of company), located at \_\_\_\_\_ (address),  
\_\_\_\_\_ (city), \_\_\_\_\_ (state).
3. Plaintiff further avers that defendant is not in the military or naval service of the United States or its allies or otherwise within the Soldiers and Sailors' Civil Relief Act of 1940 and its amendments.

**VERIFICATION**

I, \_\_\_\_\_, verify that the statements made in this Pleading are true and correct. I understand that false statements herein made are subject to the penalties of 18 Pa.C.S.A. § 4904 relating to unsworn falsification to authorities.

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Plaintiff's Signature)