V I R G I N I A:

IN THE CIRCUIT COURT OF ARLINGTON COUNTY

, \*

Plaintiff \*

\*

v. \* Case No.: \_\_\_\_\_\_\_\_\_\_\_\_\_

\*

, \*

Defendant \*

***FINAL DECREE OF DIVORCE***

**THIS CAUSE** came on to be heard this day upon the Complaint for Divorce filed herein by the Plaintiff; upon the Acceptance of Service and Waiver of Notice filed by the Defendant, and upon evidence; and

**IT APPEARING TO THE COURT** that the parties were lawfully married to each other on in , ; that both parties are over the age of eighteen (18) years, and neither is a member of the Armed Forces of the United States on active duty; that the Plaintiff is a *bona fide* resident and domiciliary of the Commonwealth of Virginia, and has been such for at least six (6) months prior to the institution of this suit; that there were children born of this marriage; to-wit: , born , of whom is emancipated; the parties separated and ceased living together as husband and wife on , with the intent to remain separate and apart, and that since that time, the parties have continued to live separate and apart with the intent to terminate the marriage, without any cohabitation and without interruption, for a period in excess of one (1) year; that the parties have reached agreement with respect to issues arising out of the marriage;

**WHEREUPON**, the Court having considered the evidence presented and the agreement of the parties, it is therefore

**ADJUDGED, ORDERED and DECREED** as follows:

1. That the Plaintiff, be, and hereby is, granted a Decree of Divorce A Vinculo Matrimonii from the Defendant, , on the ground that the parties have intentionally lived separate and apart, without any cohabitation and without any interruption, since , constituting a period in excess of one (1) year; and

2. The parties shall share joint legal custody of the minor children. Primary residential custody shall be with the Wife.

3. During the school year the children will be with the Wife from Sunday at 8:00 p.m. until Friday after school and with the Husband from Friday after school until Sunday at 8:00 p.m. During the summer the Husband’s visitation will be from Saturday at 10:00 a.m. until Monday at 10:00 a.m.

4. The parties have entered into a Marital Separation Agreement and Amendment thereto which is attached hereto and marked as Exhibit 1 which is affirmed, ratified and incorporated but not merged into this Order.

5. Notice is hereby given as set forth in the below described Virginia Code Section: **Pursuant to § 20-111.1, Code of Virginia, beneficiary designations for any death benefit, as defined in subsection B of § 20-111.1, Code of Virginia, made payable to a former spouse may or may not be automatically revoked by operation of law upon the entry of a final decree of annulment or divorce. If a party intends to revoke any beneficiary designation made payable to a former spouse following the annulment or divorce, the party is responsible for following any and all instructions to change such beneficiary designation given by the provider of the death benefit. Otherwise, existing beneficiary designations may remain in full force and effect after the entry of a final decree of annulment or divorce.**

6. Pursuant to Virginia Code § 20-124.5 notice is hereby given that thirty (30) days’ advance written notice must be given to the court and to the opposing party by any party intending to relocate and of any intended change of address unless the court for good cause, orders otherwise.

7. NOTICES AND INFORMATION:

The parties to this Order have two (2) minor children whom they have a mutual duty to support. Pursuant to § 20-60.3, Code of Virginia, the parties are hereby notified of the following provisions of Virginia law and the parties hereby represent to this Court that the information provided below is true and correct:

1. Notice that support payments may be withheld as they become due pursuant to § 20‑79.1 or § 20-79.2, from income as defined in § 63.2-1900, without further amendments of this order or having to file an application for services with the Department of Social Services; however, absence of such notice in an order entered prior to July 1, 1998, shall not bar withholding of support payments pursuant to § 20‑79.1;

2. Notice that support payments may be withheld pursuant to Chapter 19 (§ 63.2‑1900 *et seq.*) of Title 63.2 without further amendments to the order upon application for services with the Department of Social Services; however, absence of such notice in an order entered prior to July 1, 1998, shall not bar withholding of support payments pursuant to Chapter 19 (§ 63.2‑1900 *et seq*.) of Title 63.2;

3. Name:

Date of Birth:

Last Four Digits of Social Security Number:

Name:

Date of Birth:

Last Four Digits of Social Security Number:

Name:

Date of Birth:

Last Four Digits of Social Security Number:

4. Mother’s Name:

Date of Birth:

Last Four Digits of Social Security Number:

Address:

Home Telephone:

Business Telephone:

Driver’s License Number: VA \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Employer: Neighborhood Real Estate, LLC

Address:

Father’s Name:

Date of Birth:

Last Four Digits of Social Security Number:

Address:

Home Telephone:

Business Telephone:

Driver’s License Number: VA \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Employer:

Address:

5. Notice that, pursuant to § 20-124.2, support will continue to be paid for any child over the age of 18 who is (i) a full-time high school student, (ii) not self-supporting, and (iii) living in the home of the party seeking or receiving child support until such child reaches the age of 19 or graduates from high school, whichever occurs first, and that the court may also order that support be paid or continue to be paid for any child over the age of 18 who is (a) severely and permanently mentally or physically disabled, and such disability existed prior to the child reaching the age of 18 or the age of 19 if the child met the requirements of clauses (i), (ii), and (iii); (b) unable to live independently and support himself; and (c) residing in the home of the parent seeking or receiving child support;

6. On and after July 1, 1994, notice that a petition may be filed for suspension of any license, certificate, registration or other authorization to engage in a profession, trade, business, occupation, or recreational activity issued by the Commonwealth to a parent as provided in § 63.2‑1937 upon a delinquency for a period of 90 days or more or in an amount of $5,000 or more. The order shall indicate whether either or both parents currently hold such an authorization and, if so, the type of authorization held. The mother, Tony M. Finlay currently holds a license as a real estate agent issued by the Virginia Real Estate Board, license number \_\_\_\_\_\_\_\_\_\_\_\_;

7. The monthly amount of support is $ effective . In proceedings on initial petitions, the effective date shall be the date of filing of the petition; in modification proceedings, the effective date may be the date of notice to the responding party. The first monthly payment shall be due on the first day of the month following the hearing date and on the first day of each month thereafter. In addition, an amount shall be assessed for any full and partial months between the effective date of the order and the date that the first monthly payment is due. The assessment for the initial partial month shall be prorated from the effective date through the end of that month, based on the current monthly obligation.

8. a. The parties acknowledge that the Wife currently has health insurance coverage for herself, the Husband and the three (3) children. Upon the entry of a Final Decree of Divorce, the Husband will no longer be covered by this policy but the Wife will continue the coverage for herself and the ( ) children through the current health insurance carrier who is , policy number .

b. For so long as there is an obligation to pay child support as to any of the children the parties agree that they will pay on a fifty (50)/fifty (50) basis all of the following costs:

* Health insurance premiums for the children.
* All medical, dental, psychiatric, psychological and education coaching expenses associated with the children not otherwise covered by insurance;

9. There is no current arrearage as to any support obligation;

10. If child support payments are ordered to be paid through the Department of Social Services or directly to the obligee, and unless the court for good cause shown orders otherwise, the parties shall give each other and the court and, when payments are to be made through the Department, the Department of Social Services at least 30 days’ written notice, in advance, of any change of address and any change of telephone number within 30 days after the change;

11. If child support payments are ordered to be paid through the Department of Social Services, the obligor shall keep the Department of Social Services informed of the name, address and telephone number of his current employer, or if payments are ordered to be paid directly to the obligee, the obligor shall keep the court informed of the name, address and telephone number of his current employer;

12. If child support payments are ordered to be paid through the Department of Social Services, the party obligated to provide health care coverage shall keep the Department of Social Services informed of any changes in the availability of the health care coverage for the minor child or children, or if payments are ordered to be paid directly to the obligee, the party obligated to provide health care coverage shall keep the other party informed of any changes in the availability of the health care coverage for the minor child or children;

13. Husband shall pay to Wife child support in the amount of $ per month payable on the first of each month commencing on and continuing on the first of each successive month thereafter until the youngest child has reached the age of eighteen (18) or graduates from high school whichever is later but no later than age nineteen (19). Husband shall sign forthwith a Withholding Order directing the payment of child support directly to the Wife from Husband’s salary or other compensation due to him from any current or future employer.;

14. Notice that in determination of a support obligation, the support obligation as it becomes due and unpaid creates a judgment by operation of law. The order shall also provide pursuant to § 20-78.2, for interest on the arrearage at the judgment rate as established by § 6.2-302 unless the obligee, in a writing submitted to the court, waives the collection of interest;

15. Notice that on and after July 1, 1994, the Department of Social Services may, pursuant to Chapter 19 (§  63.2-1900 *et seq*.) of Title 63.2 and in accordance with §§ 20-108.2 and § 63.2-1921, initiate a review of the amount of support ordered by any court;

16. If any arrearages for child support, including interest or fees, exist at the time the youngest child included in the order emancipates, payments shall continue in the total amount due

(current support plus amount applied toward arrearages) at the time of emancipation until all arrearages are paid; and

17. Notice that, in cases enforced by the Department of Social Services, the Department of Motor Vehicles may suspend or refuse to renew the driver’s license of any person upon receipt of notice from the Department of Social Services that the person (i) is delinquent in the payment of child support by 90 days or in an amount of $5,000 or more or (ii) has failed to comply with a subpoena, summons, or warrant relating to paternity or child support proceedings.

**THIS ORDER IS FINAL**.

**ENTERED** this day of , 2016.

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

Judge

WE ASK FOR THIS:

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*Counsel for Tonya M. Finlay*