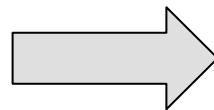


**Instructions for:**

# **Form 9**

## **Notice of Intention to Request Entry of Section 3301(d) Divorce Decree**



## **Form 9 - Notice of Intention to Request Entry of Section 3301(d) Divorce Decree**

*The numbers on these instructions correspond with the numbers in the arrowboxes on the form. Use the form with the arrowboxes to guide you through filling out the blank form.*

1. Write the name of the county you are filing in by arrowbox 1. Write exactly what you wrote on Form 1, by arrowbox 1.
2. Write the name of the Plaintiff by arrowbox 2. Write it exactly as it appears on Form 1, by arrowbox 2.
3. Write the name of the Defendant by arrowbox 3. Write it exactly as it appears on Form 1, by arrowbox 3.
4. Write the docket number by arrowbox 4. The docket number is the number that the Prothonotary's Office wrote on Form 1, by arrowbox 4 at the time of filing.
5. Write your spouse's name by arrowbox 5.
6. Count 20 calendar days from the date that you will be mailing this form to your spouse. Day 1 is the day the form is mailed to your spouse. Write that date by arrowbox 6.
7. **If you live in one of the following counties:** Allegheny, Beaver, Berks, Blair, Bucks, Chester, Cumberland, Dauphin, Delaware, Erie, Lackawanna, Lancaster, Lehigh, Luzerne, Mercer, Monroe, Montgomery, Northampton, Philadelphia, Washington, Westmoreland, or York, **you must call your county's Court Administrator's Office, Prothonotary's Office, or other related county office to determine what lawyer referral service to put by arrowbox 7.**

**If you do NOT live in one of the above listed counties: Write by arrowbox 7:**

"Pennsylvania Bar Association – Lawyer Referral Service  
Telephone 1-800-692-7375 (PA only)  
or 717-238-6715"

8. Sign this form by arrowbox 8.
9. Write the name of the county you are filing in by arrowbox 9. Write exactly what you wrote on Form 1, by arrowbox 1.
10. Write your name by arrowbox 10. Write your name exactly as you wrote it on Form 1, by arrowbox 2.
11. Write your spouse's name by arrowbox 11. Write your spouse's name exactly as you wrote it on Form 1, by arrowbox 3.
12. Write the docket number by arrowbox 12. The docket number is the number that the Prothonotary's Office wrote on Form 1, by arrowbox 4 at the time of filing.

*Leave the rest of this document blank.*

***Note: This form MUST be properly served on the other party (see Divorce Procedure section). Use Form 11 for service.***





**IN THE COURT OF COMMON PLEAS OF  
\_\_\_\_\_ COUNTY, PENNSYLVANIA**

_____	:	<b>CIVIL ACTION – LAW</b>
<b>PLAINTIFF</b>	:	
	:	
	:	
<b>vs.</b>	:	<b>Case No.</b> _____
	:	
	:	
_____	:	<b>IN DIVORCE</b>
<b>DEFENDANT</b>	:	

**NOTICE OF INTENTION TO REQUEST ENTRY OF  
SECTION 3301(d) DIVORCE DECREE**

**TO:** \_\_\_\_\_ (spouse's full name)

You have been sued in an action for divorce. You have failed to answer the Complaint or file a Counter-Affidavit to the § 3301(d) Affidavit. Therefore, on or after \_\_\_\_\_ (20 days after service of this document), the other party can request the court to enter a final decree in divorce.

If you do not file with the Prothonotary of the court an answer with your signature notarized or verified or a counter-affidavit by the above date, the court can enter a final decree in divorce. A counter-affidavit which you may file with the Prothonotary of the court is attached to this notice.

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 and you will 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.**

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

Respectfully submitted,

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

IN THE COURT OF COMMON PLEAS OF  
\_\_\_\_\_ COUNTY, PENNSYLVANIA

_____	:	CIVIL ACTION – LAW
PLAINTIFF	:	
	:	
	:	Case No. _____
vs.	:	
	:	
_____	:	
DEFENDANT	:	IN DIVORCE

**COUNTER-AFFIDAVIT UNDER §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) or both):
  - \_\_\_\_\_ (i) The parties to this action have not lived separate and apart for a period of at least two years.
  - \_\_\_\_\_ (ii) The marriage is not irretrievably broken.

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

- \_\_\_\_\_ (a) I do not wish to make any claims for economic relief. I understand that I may lose rights concerning alimony, division of property, lawyer's fees or expenses if I do not claim them before a divorce is granted.
- \_\_\_\_\_ (b) I wish to claim economic relief which may include alimony, division of property, lawyer's fees or expenses or other important rights.

I understand that in addition to checking (b) above, I must also file all of my economic claims with the Prothonotary 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 Request Divorce Decree, the divorce decree may be entered without further delay.

I verify that the statements in this document are true and correct to the best of my knowledge, information, and belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature

**NOTICE: If you do not wish to oppose the entry of a divorce decree and you do not wish to make any claim for economic relief, you need not file this Counter-Affidavit. If you do wish to claim either economic relief and/or oppose the divorce, you must complete this form and file it with the Prothonotary. It is recommended that you speak to an attorney.**