

**Affidavit under Section 3301(d)
of the Divorce Code**

Form 8

Form 8 – Affidavit under Section 3301(d) of the Divorce Code

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

Box 1: Print the name of the county in which you filed exactly as you wrote on Form 1.

Box 2: Print the name of the Plaintiff exactly as it appears on Form 1.

Box 3: Print the docket number that the Prothonotary's Office wrote on Form 1 at the time of filing.

Box 4: Print the name of the Defendant exactly as it appears on Form 1.

Box 5: Print the day, month, and year that you and your spouse separated. *For example: March 25, 2016.*

Box 6: Check box (a) if the date of separation was on or after December 5, 2016, and the parties have continued to live separate and apart for a period of at least two years.

Box 7: Check box (b) if the date of separation was on or after December 5, 2016, and the parties have continued to live separate and apart for a period of at least one year.

Box 8: Write the date you are signing.

Box 9: Sign your name.

Note: BOTH THE AFFIDAVIT AND COUNTER AFFIDAVIT MUST be properly served on the other party.

IN THE COURT OF COMMON PLEAS OF 1 COUNTY, PENNSYLVANIA
CIVIL ACTION

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PLAINTIFF

4 vs.

DEFENDANT

Case No. 3

IN DIVORCE

NOTICE

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 5.

2. Check (a) or (b):

6 (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 at least two years.

7 (b) The date of separation was on or after December 5, 2016, and the parties have continued to live separate and apart for a period of 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 or expenses if I do not claim them before a divorce is granted.

I verify that the statements in this document are true and correct. 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: 8

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(PLAINTIFF) (DEFENDANT)

IN THE COURT OF COMMON PLEAS OF _____ COUNTY, PENNSYLVANIA
 CIVIL ACTION

	:	
PLAINTIFF	:	
	:	
vs.	:	Case No. _____
	:	
	:	
DEFENDANT	:	IN DIVORCE

NOTICE

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 _____ .
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 at least 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 a period of 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 or expenses if I do not claim them before a divorce is granted.

I verify that the statements in this document are true and correct. 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: _____

(PLAINTIFF) (DEFENDANT)