

**DIVORCE/GROUNDS CHECKLIST, §3301(c)(1)**

**CAPTION:** \_\_\_\_\_

**No. :** \_\_\_\_\_

**A. THE COMPLAINT**

**DATE FILED:** \_\_\_\_\_

- \_\_\_\_\_ 1. Notice to Defend (proper notice listing counselors, legal representation Pa. R.C.P. 1920.12(c), 1920.71).
- \_\_\_\_\_ 2. All eight sections of form - Irretrievably Broken - Pa.RC.P.1920.12, 1920.72(a).
- \_\_\_\_\_ 3. Plaintiff Advised of Counseling
- \_\_\_\_\_ 4. Prior divorce actions: caption, docket no., date filed, grounds (3301(c)/3301(d)) present status: \_\_\_\_\_
- \_\_\_\_\_ 5. Economic claims
- \_\_\_\_\_ 6. Notarized or verified.

**B. SERVICE OF ORIGINAL PROCESS:3 OPTIONS**

**DATE SERVED:** \_\_\_\_\_

- \_\_\_\_\_ 1. *Personal Service*: Return of service must state date, time, place, manner of service, Identity
  - \_\_\_\_\_ a. By Sheriff
  - \_\_\_\_\_ b. Other than Sheriff: Affidavit of Service
- \_\_\_\_\_ 2. *Certified Mail*: Signature and date must be legible
  - \_\_\_\_\_ a. Signed Green Card
  - \_\_\_\_\_ b. Notarized/Verified Certificate of Service
- \_\_\_\_\_ 3. *Acceptance of Service*: Pa.R.C.P. 1930.4(d).
  - \_\_\_\_\_ a. Must say "accept service"
  - \_\_\_\_\_ b. If by attorney: "am authorized"
- \_\_\_\_\_ 4. Service timely: 30 days Pa resident: \_\_\_\_\_; 90 days Non-resident: \_\_\_\_\_
- \_\_\_\_\_ 5. Defendant: Waiver of Defects of Service
- \_\_\_\_\_ 6. Proof of Service filed within 10 days of service (1930.4(h)) : \_\_\_\_\_

**C. AFFIDAVIT OF CONSENT (Pa.R.C.P. 1920.72(b))**

- \_\_\_\_\_ 1. PLAINTIFF Date Executed: \_\_\_\_\_ Date Filed: \_\_\_\_\_
  - \_\_\_\_\_ a. Executed at least 90 days after Complaint served.
  - \_\_\_\_\_ b. Filed within 30 days after executed.
  - \_\_\_\_\_ c. ¶1: Correct date of Complaint filing: \_\_\_\_\_ Correct date of service of Complaint: \_\_\_\_\_
  - \_\_\_\_\_ d. ¶2: 90 days elapsed from date of filing and service of Complaint
  - \_\_\_\_\_ e. ¶3: Consents to divorce "after service of Notice of Intention to File Praecepte to Transmit Record"
  - \_\_\_\_\_ f. Verified
- \_\_\_\_\_ 1. DEFENDANT Date Executed: \_\_\_\_\_ Date Filed: \_\_\_\_\_
  - \_\_\_\_\_ a. Executed at least 90 days after Complaint served.
  - \_\_\_\_\_ b. Filed within 30 days after executed.
  - \_\_\_\_\_ c. ¶1: Correct date of Complaint filing: \_\_\_\_\_ Correct date of service of Complaint: \_\_\_\_\_
  - \_\_\_\_\_ d. ¶2: 90 days elapsed from date of filing and service of Complaint
  - \_\_\_\_\_ e. ¶3: Consents to divorce "after service of Notice of Intention to File Praecepte to Transmit Record"
  - \_\_\_\_\_ f. Verified

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**No. :** \_\_\_\_\_

**D. WAIVER OF NOTICE OF INTENT (Pa.R.C.P. 1920.73)**

\_\_\_\_\_ 1. ¶PLAINTIFF Date Filed: \_\_\_\_\_

- \_\_\_\_\_ a. Consents to entry of final Decree of divorce “without further notice” **OR**
- \_\_\_\_\_ Consents to entry of an order approving grounds for divorce

\_\_\_\_\_ b. Verified

\_\_\_\_\_ 1. ¶DEFENDANT Date Filed: \_\_\_\_\_

- \_\_\_\_\_ a. Consents to entry of final Decree of divorce “without further notice” **OR**
- \_\_\_\_\_ Consents to entry of an order approving grounds for divorce

\_\_\_\_\_ b. Verified

**E. PRAECIPE TO TRANSMIT RECORD (Pa.R.C.P. 1920.73)**

**DATE FILED:** \_\_\_\_\_

Entry of:

- \_\_\_\_\_ a. Divorce decree
- \_\_\_\_\_ b. Divorce decree w/agreement attached
- \_\_\_\_\_ c. Bifurcated decree, court retains jurisdiction
- \_\_\_\_\_ d. Order approving grounds for divorce

\_\_\_\_\_ 1. 20 days or more after service of Notice of Intention if no attorney for opposing party (Pa. R.C.P. 1920.42(a)(1)(v))

\_\_\_\_\_ 2. Contents of Paragraphs 1-5

\_\_\_\_\_ ¶1: Correct section of Code indicated

\_\_\_\_\_ ¶2: Correct date and manner of service: \_\_\_\_\_

\_\_\_\_\_ ¶3: Execution of Affidavits of Consent: Plaintiff: \_\_\_\_\_ Defendant: \_\_\_\_\_

\_\_\_\_\_ ¶4: All economic claims specifically resolved.

\_\_\_\_\_ a. Agreement: date of formal agreement or dictated agreement before court reporter: \_\_\_\_\_.

\_\_\_\_\_ b. Resolved by Divorce Master, Date of Master’s Report: \_\_\_\_\_.

\_\_\_\_\_ c. Claims bifurcated: Order date: \_\_\_\_\_.

\_\_\_\_\_ d. Withdrawn Pa.R.C.P. 1920.17(b) Notice of Intent served: \_\_\_\_\_

After 20 days, Praecipe to Withdraw filed: \_\_\_\_\_ **OR**

Joint Praecipe to Withdraw filed: \_\_\_\_\_

\_\_\_\_\_ e. No economic claims raised – check Prothy file for Complaint, counterclaim, petition.

\_\_\_\_\_ ¶5b: Date the parties’ Waivers were filed: Plaintiff: \_\_\_\_\_ Defendant: \_\_\_\_\_

**F. SETTLEMENT AGREEMENTS**

\_\_\_\_\_ 1. Both Agreement/Stipulation and Decree state incorporated and/or not merged into the Decree.

\_\_\_\_\_ a. In Decree and Agreement; Paragraph/Lines: \_\_\_\_\_, Page: \_\_\_\_\_.