

# Frequently Asked Questions

## A. General Information

### 1. Where can I learn more about Virginia courts?

The [Virginia's Court System](#) page contains information on all courts in Virginia. This may include the court's schedule, policies, or directions to the courthouse.

### 2. Where can I find answers to questions about the federal court system or a case filed in a federal court?

Several federal resources are located on the [Federal Links](#) section of the [State Law Library](#) page. Questions about a particular case in the federal judiciary should be directed to the court in which the case was or will be heard.

## B. Information About Cases

### 1. Where can I get general information about how different types of cases are processed in Virginia?

The [Topics](#) page of the [Virginia Judicial System Court Self-Help](#) website provides general information about select case types.

The [General District Court Manual](#) and the [Juvenile and Domestic Relations District Court Manual](#) include detailed information on case procedures for both criminal and civil cases. For information on circuit court cases, there is a [manual for civil case procedures](#) and one for [criminal cases](#).

## **2. Where can I get information about a specific case that was filed in Virginia?**

The [Case Status and Information](#) page contains links to online case systems that allow you to search in all the general district courts and most circuit courts. If you know where the case was or will be heard, you can search by the plaintiff or defendant's name, the case number, or date of hearing. [Statewide criminal case](#) searches based on the case number or name of the defendant can be performed also.

For additional information about a particular case, contact the clerk's office for the court where the case is filed. [Virginia's Courts System](#) page contains links to information on all courts in Virginia.

## **C. Assistance with Legal Issues**

### **1. Where can I do my own research about the law?**

A number of sources for legal information are available in the [Legal Links](#) section of the [State Law Library](#) page. You can also link to [Virginia Codes, Rules and Statutes](#) and the listing of [Virginia Public Law Libraries](#), which provides contact information for local public law libraries in Virginia.

AALL, the American Association of Law Libraries, has an online legal information resource. It covers U.S. states, the District of Columbia, U.S. territories, U.S. Federal government, and Canada. It includes session laws, codes, registers, and court opinions.

[Online Legal Information Resources - AALL \(aallnet.org\)](#)

### **2. If I want to look up a statute, where can I access the Code of Virginia?**

The [Code of Virginia](#) is available on the Virginia General Assembly's [Legislative Information System](#) website. This electronic version does not provide cross-references to cases and law review articles, as does the official print version of the

Code of Virginia, VIRGINIA CODE ANNOTATED. The annotated Code is available at [Virginia Public Law Libraries](#) and may be at other public libraries in Virginia.

### **3. If I need legal advice, where can I find a lawyer?**

The [Virginia State Bar](#) offers a [Lawyer Referral Service](#), that allows you to have an initial consultation with an attorney for a reduced fee. The toll-free telephone number is 1-800- 552-7977. Information about free and low-cost civil litigation services in Virginia is available at the [Virginia Legal Aid](#) website. Their website includes information to help determine if a person qualifies for legal assistance based on where they live and their income. The Virginia State Bar also offers this publication for low- and modest-income Virginians: [Free and Low Cost Legal Resources](#).

### **4. Where can I find court forms on Virginia's Judicial System Web site?**

Links to most forms and instructions are available on the [Forms](#) page. Only those forms that can be submitted to the court by a member of the public may be completed online and printed for submission to the court.

### **5. What should I do if I have found the court form I need on Virginia's Judicial System Web site, but I am unable to access the form?**

Forms are available as Adobe Acrobat PDF documents. The Adobe Reader (free from [Adobe](#)) allows you to view, complete and print PDF documents. If you have problems with a form, please review the troubleshooting information in Adobe's support [knowledgebase](#).

Some forms listed are completed by the court or court personnel and are for "court use only."

- If you are unable to locate or access a Virginia court form that is available to the public, contact the [Webmaster](#).

- If the form is not available to the public, contact the clerk's office for the court in which your case will be heard. The [Virginia's Court System](#) page contains information on all courts in Virginia.

## **6. Where can I find a complete listing of court forms on Virginia's Judicial System website?**

- [Circuit Court Forms List](#)
- [District Court Forms List](#)

## **7. If I want to file a court case, where can I get information or assistance?**

A number of resources are available for information on filing a civil case in Virginia, including:

- The clerk's office for the court in which you plan to file a case. [Virginia's Court System](#) page contains links to information on all courts in Virginia.
- The advice of a lawyer:
  - The [Virginia State Bar](#) offers the [Virginia Lawyer Referral Service](#), through which you may have an initial consultation with an attorney for a reduced fee. The toll-free number is 1-800-552-7977.
  - [VALegal Aid](#) has programs in Virginia to provide free and low-cost legal assistance in civil cases to qualifying low-income individuals. Their website provides information about their services and information to help determine if a person qualifies for legal assistance based on where they live and their income.

## **8. If I cannot be present on the date scheduled, how can I get a new date for my case?**

Contact the clerk's office for the court in which your case is filed for more information about the possibility of changing your court date. Each court sets its own policy on the rescheduling of court hearings, known as a "continuance". [Virginia's Court System](#) page contains links to information on all courts in Virginia.

## **D. Traffic Cases**

### **1. How can I pay my ticket without going to court?**

If the summons you received indicates the offense is “prepayable,” you may follow the instructions on the summons to pay your ticket without going to court. You may be able to pay the ticket online. Links to online payment systems are on the [How to Pay Traffic Tickets and Other Offenses](#) page. How soon you may use this option depends upon when the local court enters information regarding your case into the state database. **Note:** Most courts enter traffic ticket information within 10 business days.

### **2. How can I verify that my online payment of a “prepayable” ticket has been accepted?**

You can check the [Virginia Judiciary Online Case Information](#) system to locate your case online and verify the status using the "Case Details" screen. Payments made before 3:30 pm will appear in the system on the following business day, or within two (2) business days if payment was made on a Friday. If your case is shown as still not paid on the "Case Details" screen, you can call the clerk of the local court to confirm receipt of payment.

### **3. If I have lost my traffic ticket, what should I do?**

- Contact the law enforcement agency that issued the citation:
  - [Virginia State Police](#)
  - [Local law enforcement agencies](#)
- Look for your case with a name search on the [Statewide Online Case Information System](#)

### **4. Where can I get information about my Virginia driver's license (operator's permit) or the Virginia driver's point system?**

[Virginia Department of Motor Vehicles](#):

- [Records Services](#): Request a Copy of Your Driver or Vehicle Record
- [Driver's Services](#): Violations and Points

## **E. Child Custody, Visitation and Support**

### **1. How do I file a court case for child custody, visitation or support?**

- The [Custody, Visitation & Support](#) page of the [Virginia Judicial System Self-Help](#) website has general information on these topics.
- If there is no existing court order on child custody, visitation or support, a new case may be initiated through the Court Service Unit of a juvenile and domestic relations district court. Contact the local [Court Service Unit](#) for information from the Department of Juvenile Justice website.
- If a Virginia court has previously entered an order, or a case is currently pending regarding divorce, child custody, visitation or support, contact the clerk's office of that court directly. [Virginia's Court System](#) page contains links to information on all courts in Virginia.

### **2. Where can I go for help in getting child support for my minor child?**

Contact the [Virginia Department of Social Services Division of Child Support Enforcement](#).

This [Topic page](#) of the [Virginia Judicial System Self-Help](#) website has general information about custody, visitation, and support.

## **F. Marriage, Divorce, and Changing a Last Name**

### **1. Where can I find information about a marriage or divorce that has already taken place?**

To obtain a copy of a **marriage or divorce record**, contact the clerk's office for the circuit court where the marriage license was issued, or the divorce was granted.

[Virginia's Court System](#) page has information on all courts in Virginia. Records also may be obtained from the Virginia Department of Health's [Office of Vital Records](#) or [Department of Motor Vehicles](#) locations.

## **2. Where can I find information or instructions on obtaining a divorce?**

There are no official court forms dealing with the process of spousal separation or divorce; however, there are the following resources:

- The [Virginia State Bar](#) produced pamphlets about divorce, including :
  - [Divorce in Virginia](#)
  - [Children and Divorce](#)
- The Virginia State Bar offers the [Virginia Lawyer Referral Service](#), through which you may have an initial consultation with an attorney for a reduced fee. The toll-free number is 1-800-552-7977.
- [VALegal Aid](#) has a [Know Your Rights - Divorce](#) page and programs in Virginia to provide free and low-cost legal assistance in civil cases to qualifying low-income people. The website has information about their services and information to help determine if a person [qualifies for legal assistance](#) based on where they live and their income.
- The [Divorce](#) Topic page of the Virginia Judicial System Self-Help website has general information about divorce and links to resources that will help in understanding the divorce process.
- You also may contact your local circuit court for more information. [Virginia's Court System](#) page contains links to information on all courts in Virginia.

## **3. How can I be authorized to perform a marriage ceremony in Virginia?**

Petitions for Authorization to Celebrate Rites of Marriage are filed in the circuit court of the locality where the wedding is planned to take place. The [Circuit Court Clerks' Manual - Civil](#) has information on these petitions. [Virginia's Court System](#) page has links to information on all courts in Virginia.

## **4. How can I apply for a name change?**

Applications for name change are filed in the circuit court, using the [Application for Change of Name \(Adult\)](#) and its [Instructions](#) or the [Application for Change of Name \(Minor\)](#) and its [Instructions](#). The [Circuit Clerks Manual – Civil](#) explains the proceedings. For more information, contact the clerk's office of your [local circuit court](#).

## **G. Probate and Decedents' Estates**

### **Where can I find information about probate and decedents' estates in Virginia?**

The Virginia Bar Association produces a [Guide to the Administration of Decedents' Estates in Virginia](#). The Virginia Court Clerks' Association produces a guide titled [Probate in Virginia](#).

The Virginia Judicial System Court Self-Help [Probate topic page](#) provides general information about probate and links to resources that will help in understanding the probate process.

For more information, contact your local circuit court. The [Virginia's Court System](#) page has information on all courts in Virginia.

## **H. Death Certificate**

### **Where can I get a copy of a death certificate?**

A death certificate may be obtained from the Virginia Department of Health's [Office of Vital Records](#). Certified copies of Virginia vital records (birth, death, marriage and divorce) also are available for purchase at Virginia [Department of Motor Vehicle](#) locations.

## **I. Search Land Records**

### **Where can I research land records?**

Land records are maintained in circuit court clerks' offices and are available for inspection there. Many circuit court clerks provide secure remote access to persons who have completed an application and subscription agreement with the clerk's office. For more information, contact the [circuit court clerk](#) of the locality in which you are interested in researching land records.

## **J. Small Claims Court**

### **How can I pursue a small claims case (involving no more than \$5,000) in a Virginia court?**

Information on small claims case procedures is available at the following links:

- [Small Claims Court Procedures Pamphlet](#)
- [General District Court Civil forms](#) used in small claims cases
- The Virginia Judicial System Court Self-Help website has a [Small Claims](#) topic page.
- For further information, contact the clerk's office of your [local general district court](#).

## **K. Criminal Records**

### **1. How can I access public criminal court case records?**

The [Case Status and Information](#) page contains links to online case information systems in which you can search for criminal cases in all general district courts and most circuit courts. If you know the locality in which the case was or will be heard, you can search by the defendant's name, the case number or date of the hearing. [Statewide searches](#) by defendant or case number are possible. Felony cases are tried in circuit courts in Virginia. For further information about a particular criminal case, contact the clerk's office for the court where the case is filed. [Virginia's Court System](#) page contains links to information on all courts in Virginia.

### **2. Where can I find information on filing for expungement of my criminal conviction?**

Information on expungement may be found in the "Records Retention and Destruction" section of the *District Court Manual*. Complete the [Petition or Motion for Expungement](#) form and check the [Instructions](#).

Information on expungement cases that are filed in the circuit court is available in the [Circuit Court Clerks' Manual - Criminal](#). Complete the [Petition for Expungement](#) form and check the [Instructions](#). The *Circuit Court Clerks' Manual - Civil* covers these proceedings.

Contact the court to request specific information.

### **3. Where can I find information about a criminal records check?**

Criminal history records information is available to only certain persons, businesses and entities. The [Virginia State Police](#) maintains the Virginia Criminal Records Exchange, which is the sole repository for criminal records in Virginia.

## **L. Concealed Handgun Permits**

### **How can I get a concealed handgun permit?**

Information is available on the [Resident Concealed Handgun Permit](#) page of the [Virginia State Police website](#). More information about concealed handgun permits can be found in the [Circuit Court Clerks' Manual - Civil](#).

## **M. Restoration of Civil Rights**

### **How can I get my civil rights restored?**

The restoration of civil rights is handled through the [Secretary of the Commonwealth](#), who hosts a [webpage](#) describing the process.

The Code of Virginia has a [chapter](#) on Restoration of Civil Rights.

[Circuit courts](#) in Virginia have a role in the restoration of voting rights to people convicted of certain felonies. The court process is described in [Chapter 6](#) of the

[Circuit Court Clerks' Manual – Civil](#). The following forms are applicable to this process:

- [Information About Petitioning a Circuit Court for Approval of the Right to Register to Vote](#)
- [Petition for Approval of the Right to be Eligible to Register to Vote](#)

## **N. Appealing a Case**

### **What can I do if I disagree with a court decision?**

A party who disagrees with a court decision may, under certain circumstances and within certain time limits, appeal to a higher court. Basic information on appeals is available in several Court Informational pamphlets found under the [For Citizens](#) tab. Contact the clerk's office for the court in which your case was decided for additional information. The [Virginia's Courts System](#) page contains links to information on all courts in Virginia.

## **O. Misconduct**

### **1. What can I do if I am concerned about possible judicial misconduct by the judge in my case?**

The [Judicial Inquiry and Review Commission](#) investigates charges of judicial misconduct or serious mental or physical disability that interfere with a judge's duties. The Commission investigates complaints against judges only, not lawyers, magistrates, or other court personnel. The Commission may not investigate matters of judicial discretion, such as the rulings and decisions of the judge, and cannot change any judicial decision or finding. The Commission does not interfere with pending cases, unless there is a complaint of delay.

### **2. What can I do if I am concerned about possible misconduct by a magistrate?**

If you have concerns about the conduct of a magistrate and wish to file a complaint, you may submit a [written complaint](#) to the Department of Magistrate Services in the Office of the Executive Secretary of the Supreme Court of Virginia. The procedures for filing a complaint against a magistrate are available on the [Magistrate Services](#) page of Virginia's Judicial System website.

### **3. What can I do if I am concerned about possible misconduct on the part of my lawyer?**

The [Virginia State Bar](#) regulates the legal profession in Virginia and receives complaints about lawyers' conduct. If you are concerned about your lawyer's conduct, the Virginia State Bar website has information about [how you may file a complaint](#). You also may contact the Virginia State Bar at 804-775-0570. Callers outside the 804 area code may dial toll free 1-866-548-0873.

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