

# Virginia Judicial System Court Self-Help

Resources for Self-Represented Litigants in Virginia

selfhelp.vacourts.gov

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## FAQs

These frequently asked questions and their answers have been copied from the "Frequently Asked Questions" that appear on the Virginia Judiciary website.

## FREQUENTLY ASKED QUESTIONS

### I. General Information

1. **How do I report to the Webmaster that the website for Virginia's Judicial System is down?**

Send a message to [webmaster@courts.state.va.us](mailto:webmaster@courts.state.va.us) to report that the website is down.

2. **What kind of information is available on Virginia's Judicial System website?**

The sitemap displays the information by topic that is available within Virginia's Judicial System website.

3. **Where can I learn more about Virginia courts?**

The Virginia's Court System page contains information on all courts in Virginia.

### II. Information About Pending Cases

1. **How can I find out more about how district courts operate?**

The Office of the Executive Secretary produces manuals for the judges and clerks of Virginia's general district and juvenile and domestic relations district courts.

2. **How can I find out more about how circuit courts operate?**

The Office of the Executive Secretary produces the manuals for the clerks of Virginia's circuit

courts. There is a manual describing the processes for civil cases in the circuit court and a manual dealing with the processes for criminal cases in the circuit court.

### **3. If I have a pending court case, where can I get information or assistance?**

Contact the court in which the case is filed for information or assistance in a pending court case. The Virginia's Court System page contains information on all courts in Virginia.

### **4. How can I get a new date for my case, if the date scheduled is inconvenient for me?**

Contact 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, otherwise known as getting a "continuance." The Virginia's Court System page contains information on all courts in Virginia.

### **5. 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 court case in Virginia, including:

1. The court in which you plan to file a case. The Virginia's Court System page contains information on all courts in Virginia.
2. The advice of a lawyer:
  - The Virginia State Bar offers a Lawyer Referral Service, through which you may consult an attorney for a limited period for a reduced fee. The toll-free telephone number is 1-800-552-7977.
  - Contact information for legal aid programs in Virginia.

## **III. Assistance with Legal Issues**

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

To conduct research about the law on your own, a number of sources of legal information are available in the Legal Links section of the State Law Library page, on which the listing of Virginia Public Law Libraries is also found, or you may contact a local public law library by using a local telephone directory.

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

The Code of Virginia legislative system does not provide cross-references to cases and articles, as does an annotated code. The official print version of the Code of Virginia, VIRGINIA CODE ANNOTATED, is available at Virginia Public Law Libraries and 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, through which you may consult an attorney for a limited time at a reduced fee. The toll-free telephone number is 1-800- 552-7977. Contact information for legal aid programs in Virginia providing free or low-cost legal assistance in civil matters to low-income households. 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?**

All Virginia Court Internet forms that are available to the public may be found on the Virginia's Court Forms webpage.

#### **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?**

Some forms on the Forms Listings are completed by the court or court personnel only 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 court in which you plan to or have filed your case. 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. Where can I find answers to questions about the federal court system or a case filed in a federal court?**

Several federal resource links are located in the Virginia's Judicial System website's Federal Links section of the State Law Library page. Questions about a particular case in the federal court system should be directed to that particular court.

### **IV. Questions About Traffic Cases**

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

- If the summons you received indicates that the offense is "prepayable," you may follow the instructions with the summons to pay your ticket without going to court. In addition, some general district courts accept payments of traffic tickets on the Internet. 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.
- If the court where your case is pending does not accept prepayments online, if the offense with which you are charged is not "prepayable," or if the local court has not entered information about your case into the state database, contact the court in the locality where your case is pending for further information. The Virginia's Court System page contains information on all courts in Virginia.

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

Payments before 3:30 pm will be updated in the system on the following business day, or within two (2) business days if the payment was made on a Friday. You can check the Virginia Courts Case Information system to verify the status (click on the link at #2 under **Instructions**).

If the “Paid Status” does not show the case has been paid, the payment was not processed before 3:30 pm the previous day. You may call the court to confirm receipt of payment.

Each day the court receives a listing of all payments that were processed (for payments after 3:30 pm Friday, this listing will not be available until Tuesday). The Virginia’s Court System page contains information about all courts in Virginia.

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

There are several options, including:

- Contact the law enforcement agency that issued the citation:
  - Virginia State Police
  - Local law enforcement agencies
- Look for your case online at Virginia Courts Case Information, by locality (click on the link to "Case Information" under the heading **General District Court**).
- Look for your case online at How to Pay Traffic Tickets and Other Minor Offenses Online to determine if your traffic violation is pre-payable without coming to court. If the local court has entered information about your case into the state database, you may find a record of your traffic case (but not the ticket itself). **Note:** Most courts enter traffic ticket information within 10 business days.

## 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 Vehicle Record
- Driver’s Services: Request a Copy of Your Driver Record (Moving Violations and Point Assessments)

## V. Child Custody, Visitation and Support

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

1. If there is no existing court order on child custody, visitation or support, a brand 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 via the Department of Juvenile Justice website.
2. If a Virginia court has previously entered an order or a case is currently pending regarding

child custody, visitation or support, contact that court directly. The Virginia's Court System page contains information on all courts in Virginia.

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

Contact the Virginia Department of Social Services Division of Child Support Enforcement.

## **VI. 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 circuit court where the marriage license was issued or the divorce was granted. The Virginia's Courts System page contains information on all courts in Virginia, or, contact the Virginia Office of Vital Records.

### **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:

- Pamphlets produced by the Virginia State Bar about divorce and the financial aspects of divorce:
  - Divorce in Virginia
  - Children and Divorce
- The Virginia State Bar offers a Lawyer Referral Service, whereby one may consult an attorney for a limited period at a reduced fee.
- Contact your local circuit court for more information. The Virginia's Court System page contains information on all courts in Virginia.

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

Contact the circuit court of the locality where the wedding is planned to take place for information on becoming authorized to perform a marriage ceremony. The Virginia's Court System page contains information on all courts in Virginia.

### **4. How can I get my name changed?**

Proceedings to change a name are handled in the circuit courts of Virginia, using the Application for Change of Name (Adult) and its Instructions. The Circuit Clerks Manual – Civil contains some information. For more information, contact your local circuit court.

### **5. How can I get my child's name changed?**

Proceedings to change a name are handled in the circuit courts of Virginia, using the Application for Change of Name (Minor) and its Instructions. For more information, contact your local circuit court.

## **VII. Wills**

### **1. Where can I find information about a will?**

Virginia Estate Law.com contains general information about wills and probate matters in Virginia. This site is maintained by a private law firm and is not endorsed by the court system, nor has the content been approved by the court system. For further information, contact your local circuit court for more information. The Virginia's Court System page contains information on all courts in Virginia.

## **VIII. Death Certificate**

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

Contact the Virginia Office of Vital Records. Certified copies of Virginia vital records (birth, death, marriage, and divorce) are also available for purchase at all full service Virginia Department of Motor Vehicle locations.

## **IX. Search Land Records**

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

Land records are generally lodged and maintained in record books in circuit courts and are not available online through Virginia's Judicial System website. Some land records are available via subscription (secure remote access) through the individual circuit court clerk.

## **X. Small Claims Court**

### **1. 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:

- Small Claims Court Procedures brochure
- General District Court Civil forms used in small claims cases
- For further information, contact your local general district court. The Virginia's Courts System page contains information on all courts in Virginia.

## **XI. Criminal Records**

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

The Case Status and Information page contains records of some criminal cases in some courts. Statewide searches are not possible, but require the name of the court by locality and the name of the individual or case number. Felony cases are tried in circuit courts in Virginia. For further information about a particular criminal case, contact the court where the case is filed. The Virginia's Courts System page contains information about all courts in Virginia.

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

Related information may be found in the Records Retention and Destruction section of the District Court Manual and the Petition or Motion for Expungement form and its Instructions.

For further information, contact the court where you intend to file the proceeding. The Virginia's Courts System page contains information on all courts in Virginia.

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

Criminal records, except those filed in particular court cases, generally are maintained by law enforcement agencies, which also handle all criminal records checks. The Virginia State Police maintains the Virginia Criminal Records Exchange.

## **XII. Concealed Handgun Permits**

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

Consult the portion of the Virginia State Police website that describes the application process for a concealed handgun permit and provides a link to the application form itself.

## **XIII. Restoration of Civil Rights**

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

Circuit courts in Virginia have the authority to approve that voting rights – and only voting rights – be restored to people convicted of certain felonies. The court process is described in Chapter 6 of the Circuit Clerk's 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

Only the Governor can actually restore voting rights. For further information regarding this process or related court forms, contact the circuit court where you intend to file the proceeding. The Virginia's Courts System page contains information on all courts in Virginia.

Other than voting rights, the restoration of civil rights is completely the role of the Governor and is handled through the Secretary of the Commonwealth.

## **XIV. Appealing a Case**

## **1. 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. Contact the court in which your case was decided for further information. The Virginia's Courts System page contains information on all courts in Virginia.

## **XV. Judicial Misconduct**

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

The Judicial Inquiry and Review Commission is the state agency that investigates charges of judicial misconduct. The Commission investigates complaints against judges only, not lawyers, magistrates, or court personnel. The Commission may not investigate matters of judicial discretion, such as the rulings and decisions of the judge. The Commission does not interfere with pending cases, unless there is a complaint of delay. Other complaints will be investigated only when the case is concluded. The Commission cannot change any judicial decision or finding. Reversals of judicial decisions can be made by a higher court or other process provided by law.

## **XVI. Attorney Misconduct**

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

The Virginia State Bar receives inquiries about lawyers' conduct. If you are concerned about your lawyer's conduct, you may wish to learn more about how the Virginia State Bar deals with inquiries and how you may make an inquiry.

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