

Using This Revisable PDF Form

1. Copies
 - a. Original – to court.
 - b. First copy – to defendant. If more than one defendant, provide a copy for *each* defendant.
 - c. Second copy – to plaintiff.
2. All but Case Disposition prepared by plaintiff (claim, parties, and court name and address) and clerk (Data Element Nos. 3, 4, 5, 29, 30, 33 and 34). Case Disposition prepared by judge.
3. Attachments
 - a. Form DC-413, CERTIFICATE OF MAILING, or its equivalent – if filed by plaintiff.
 - b. Form DC-325, REQUEST FOR WITNESS SUBPOENA – if completed before this form is issued.
4. Preparation details
 - a. This form merges the application (claim) and civil warrant onto one form so that all but a few data elements needed for issuing the civil warrant are prepared by the plaintiff.
 - b. The data elements for service of process on the reverse of this form are to be completed for each defendant who is served.
 - c. In lieu of a separate certificate of mailing, the plaintiff may complete Data Element Nos. 10 and 11 on the reverse side of this form if the mailing to defendants occurs at or prior to filing of the warrant.
 - d. On the reverse side of this form, Data Element Nos. 12, 13 and 14 are for optional use by clerks in tracking the issuance of post-judgment process. This data is added when such post-judgment process is prepared because the clerk's staff has to use the warrant in preparing and issuing post-judgment process.

WARRANT IN DEBT (CIVIL CLAIM FOR MONEY)

Commonwealth of Virginia VA. CODE § 16.1-79

1

CITY OR COUNTY

General District Court

2

STREET ADDRESS OF COURT

TO ANY AUTHORIZED OFFICER: You are hereby commanded to summon the Defendant(s).

TO THE DEFENDANT(S): You are summoned to appear before this Court at the above address on

3

RETURN DATE AND TIME

to answer the Plaintiff(s)' civil claim (see below)

4

DATE ISSUED

5

[] CLERK [] DEPUTY CLERK [] MAGISTRATE

CLAIM: Plaintiff(s) claim that Defendant(s) owe Plaintiff(s) a debt in the sum of

6

\$ net of any credits, with interest at **7** % from date of **8** until paid,

9

10

\$ costs and \$ attorney's fees with the basis of this claim being

[] Open Account [] Contract [] Note [] Other (EXPLAIN) **11**

12

HOMESTEAD EXEMPTION WAIVED? [] YES [] NO [] cannot be demanded

13

DATE

14

[] PLAINTIFF [] PLAINTIFF'S ATTORNEY [] PLAINTIFF'S EMPLOYEE/AGENT

CASE DISPOSITION

15

JUDGMENT against [] named Defendant(s) []

16

for \$ net of any credits, with interest at **17** % from date

18

19

20

of until paid, \$ costs and \$ attorney's fees

21 HOMESTEAD EXEMPTION WAIVED? [] YES [] NO [] CANNOT BE DEMANDED

22 [] JUDGMENT FOR [] NAMED DEFENDANT(S) []

24

23 [] NON-SUIT [] DISMISSED

Defendant(s) Present? [] YES

25 [] NO

26

DATE

27

JUDGE

CASE NO. **29**

30

PLAINTIFF(S) (LAST NAME, FIRST NAME, MIDDLE INITIAL)

v.

31

DEFENDANT(S) (LAST NAME, FIRST NAME, MIDDLE INITIAL)

WARRANT IN DEBT

TO DEFENDANT: You are not required to appear; however, if you fail to appear, judgment may be entered against you. See the additional notice on the reverse about requesting a change of trial location.

[] To dispute this claim, you must appear on the return date to **32** try this case.

[] To dispute this claim, you must appear on the return date for the judge to set another date for trial.

Bill of Particulars **33**

ORDERED

DUE

Grounds of Defense **34**

ORDERED

DUE

ATTORNEY FOR PLAINTIFF(S)

35

ATTORNEY FOR DEFENDANT(S)

36

HEARING DATE AND TIME

28

JUDGMENT PAID OR SATISFIED PURSUANT TO ATTACHED NOTICE OF SATISFACTION.

37

DATE

38

CLERK

DISABILITY ACCOMMODATIONS for loss of hearing, vision, mobility, etc., contact the court ahead of time.

Data Elements, *front*

1. Court name (General District Court jurisdiction - \$0.01 - \$25,000).
2. Court street address.
3. Return date and time (date and time of scheduled appearance, cannot exceed sixty days from service).
4. Date of issuance of this WARRANT IN DEBT.
5. Signature of person issuing this WARRANT IN DEBT. Check the appropriate title box below the signature line.
6. Principal amount of claim.
7. Interest rate(s) claim stated in annual percentage rates.
8. Date from which interest is due.
9. Amount of court costs claimed in this case.
10. Attorney's fees (if any) claimed.
11. Check the basis of the claim. If "Other" is checked, describe the basis of the claim.
12. Check the appropriate box regarding homestead exemption status.
13. Date of signing of claim.
14. Signature of person filing the claim. Check the appropriate title box below the signature line.
15. Check the last box and enter names of defendants only if judgment is entered against fewer than all defendants. If judgment is entered against all defendants, check first box.
16. Amount of judgment principal.
17. Annual percentage rate.
18. Date from which interest runs.
19. Court costs assessed against the defendant.
20. Attorney's fees awarded by court.
21. Check the appropriate box.
22. Check the first box if judgment for all defendants is entered. If judgment for fewer than all defendants, also name the defendants for whom judgment is entered.
23. Check if a nonsuit is entered.
24. Check if the case is dismissed as to all defendants. If dismissal is for fewer than all defendants, also name the defendants for whom the case is dismissed.
25. Check the applicable box. If there are multiple defendants and not all were present, list names of those present.
26. Date of entry of judgment.
27. Signature of judge.
28. Return date. Space below is for adding continuance dates.
29. Court case number.
30. Names and addresses of plaintiffs.
31. Names and addresses of defendants.
32. Check box for method used to set contested cases.
33. If judge orders filing of bill of particulars, insert the appropriate dates.
34. If judge orders filing of grounds of defense, insert the appropriate dates.
35. Name and address of plaintiff's attorney.
36. Name and address of defendant's attorney.
37. Date of receipt of Notice of Satisfaction.
38. Initials of clerk or deputy clerk upon receipt of Notice of Satisfaction.

RETURNS: Each defendant was served according to law, as indicated below, unless not found.

NAME **1**

ADDRESS **2**

3 PERSONAL SERVICE Tel. No. **2**

Being unable to make personal service, a copy was delivered in the following manner:

Delivered to family member (not temporary sojourner or guest) age 16 or older at usual place of abode of party named above after giving information of its purport. List name, age of recipient, and relation of recipient to party named above.

..... **5**

Posted on front door or such other door as appears to be the main entrance of usual place of abode, address listed above. (Other authorized recipient not found.)

Served on Secretary of the Commonwealth

6 NOT FOUND **7**

SERVING OFFICER

..... **8** for **9**

DATE

NAME

ADDRESS

PERSONAL SERVICE Tel. No.

Being unable to make personal service, a copy was delivered in the following manner:

Delivered to family member (not temporary sojourner or guest) age 16 or older at usual place of abode of party named above after giving information of its purport. List name, age of recipient, and relation of recipient to party named above.

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NOT FOUND
SERVING OFFICER

.....
DATE for

NAME

ADDRESS

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.....

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Served on Secretary of the Commonwealth

NOT FOUND
SERVING OFFICER

.....
DATE for

OBJECTION TO VENUE:

To the Defendant(s): If you believe that Plaintiff(s) should have filed this suit in a different city or county, you may file a written request to have the case moved for trial to the general district court of that city or county. To do so, you must do the following:

1. Prepare a written request which contains (a) this court's name, (b) the case number and the "return date" as shown on the other side of this form in the right corner, (c) Plaintiff(s)' name(s) and Defendant(s)' name(s), (d) the phrase "I move to object to venue of this case in this court because" and state the reasons for your objection and also state in which city or county the case should be tried, and (e) your signature and mailing address.
2. File the written request in the clerk's office before the trial date (use the mail at your own risk) or give it to the judge when your case is called on the return date. Also send or deliver a copy to plaintiff.
3. If you mail this request to the court, you will be notified of the judge's decision.

I certify that I mailed a copy of this document to the defendants named therein at the address shown therein on

..... **10** **11**

DATE [] Plaintiff
[] Plaintiff's Atty.
[] Plaintiff's Agent

Fi. Fa. issued on **12**

Interrogatories issued on: **13**

Garnishment issued on **14**

.....

Data Elements, *reverse*

1. Name of person to be summoned. If person is a corporation's registered agent, show name of corporation on second line.
2. Address and telephone number of person to be summoned.
3. Check this box if personal service obtained.
4. Serving officer to check the appropriate box to designate type of substitute service.
5. If served by leaving the warrant in debt process with a family member age 16 or older, check appropriate box and insert required information.
6. Check this box if unable to serve process.
7. Signature of serving officer.
8. Date of signature.
9. Name of sheriff if served by deputy sheriff.
10. Date that plaintiff mailed copy of pleading to defendant.
11. Signature of person mailed the pleading.
12. Date(s) writ of fieri facias was issued.
13. Date(s) summons to answer interrogatories was issued.
14. Date(s) on writ garnishment summons was issued.