

Using This Form

This form may be used by a juvenile and Domestic Relations District Court when, in a delinquency, status or traffic proceeding, the location or address of the juvenile's parent or guardian is unknown. If the affidavit and certification are made for the record, the court may proceed in such cases without fulfilling the statutory requirement for issuing a summons for the parent or guardian. Virginia Code § 16.1-263(E).

1. Copies
 - a. Original - to court.
 - b. Copies as determined by local practice.
2. Affidavit prepared by juvenile probation officer or law enforcement officer, signed by intake officer, clerk or notary. Certification signed by judge.
3. Attachments - none.
4. Preparation details
 - a. The juvenile probation officer or law enforcement officer completes the affidavit portion of the form (data elements 5-11), checking either data elements 6 and 7 or data elements 8 and 9.
 - b. After the completion of the affidavit, the judge must certify that, in the absence of other evidence, the court on the basis of the affidavit regarding location contained on the form or an affidavit supplied by the other parent regarding the identity of a parent will proceed to hear the delinquency, status or traffic case without a summons being issued to the absent parent or guardian (data elements 19-23).

The judge may rely on other evidence of a parent's identity not being reasonably ascertainable, when completing data elements 16-18.

Data Elements

1. Court case number.
2. Jurisdiction.
3. Name of plaintiff or of prosecuting entity (Commonwealth or locality).
4. Name of juvenile or defendant.
5. Name of juvenile.
6. Check box if applicable.
7. Indicate which parent is the subject of the affidavit.
8. Check box if applicable.
9. Indicate which parent is the subject of the affidavit.
10. Signature of affiant. Check appropriate box.
11. Badge number, agency and jurisdiction of law enforcement officer.
12. Jurisdiction in which affidavit taken.
13. Date of affidavit.
14. Signature of individual administering oath. Check appropriate box.
15. Notary commission expiration date, if applicable.
16. Check box if identity of parent is not reasonably ascertainable.
17. Indicate which parent is the subject of the certification.
18. Juvenile's name.
19. Check box if applicable and state name of juvenile.
20. Check box if location of parent not reasonable ascertainable.
21. Indicate which parent is the subject of the certification.
22. Check box if parent or guardian believed to be outside the Commonwealth.
23. Indicate which parent is the subject of the certification.
24. Date of certification.
25. Judge's signature.

AFFIDAVIT/CERTIFICATION OF PARENTAL IDENTITY OR LOCATION

Case No. 1

Commonwealth of Virginia

VA. CODE § 16.1-263

2

Juvenile & Domestic Relations District Court

3

V. / In re

4

AFFIDAVIT OF LOCATION

5

I swear or affirm that _____, a juvenile, is charged with a delinquent act, crime, status offense or traffic infraction or is alleged to be in need of services or of supervision, and that

- 6 the location of the juvenile's mother father guardian is not reasonably ascertainable; OR
- 8 the location or mailing address of the juvenile's mother father guardian, believed to be outside the Commonwealth, is not reasonably ascertainable. 9

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JUVENILE PROBATION OFFICER LAW ENFORCEMENT OFFICER

11

BADGE NO., AGENCY AND JURISDICTION

Commonwealth of Virginia, City/County of 12

13 Subscribed and sworn to before me this the _____ day of _____

My Commission Expires: 15

14

INTAKE OFFICER NOTARY PUBLIC CLERK/DEPUTY CLERK

CERTIFICATION OF PARENTAL IDENTITY OR LOCATION

17

16 Pursuant to Va. Code § 16.1-263(E)(i), I certify that the identity of the mother father guardian of

18

_____, a juvenile, is not reasonably ascertainable.

19 Pursuant to Va. Code § 16.1-263(E)(ii), I certify that this case involves an allegation that _____, a juvenile, has committed a delinquent act, crime, status offense or traffic infraction or is alleged to be in need of services or of supervision, and

20 the location of the juvenile's mother father guardian is not reasonably ascertainable; OR

21

22 the location or mailing address of the juvenile's mother father guardian, believed to be outside the

23

Commonwealth, is not reasonably ascertainable.

24

DATE

25

JUDGE