

No Fault Divorce under § 3301 (d) of the Divorce Code

LIVING SEPARATE AND APART

☐ BEFORE YOU BEGIN

- ☐ Print a copy of this checklist. This checklist is meant to be used in conjunction with this self-help section.
- ☐ To complete the divorce successfully, **you must follow all instructions on the checklist and on the forms exactly as written.** You must also record the dates on which you take certain steps on the printed checklist so that you have those dates to complete other forms later in the process. If you fail to do the steps in the proper order, fail to complete steps, or fail to keep track of dates, you risk having your divorce denied. **Completing the divorce process is your responsibility. No additional assistance is available.**
- ☐ If you plan to E-file your documents from your own PC, your browser's default PDF reader may prevent the PDF self-help forms from being fully operational when opened and completed *in the browser*.
 - If Adobe Reader or Adobe Acrobat is not your default PDF reader, make it your default PDF Reader.
 - If you do not have Adobe Reader or Adobe Acrobat, Adobe Reader is available for download free at: <https://www.adobe.com/acrobat/pdf-reader.html>

To be able to electronically sign Self-help PDF forms

1. Download the form to your PC,
 2. Open form in Adobe Reader* or Adobe Acrobat,
 3. Complete and electronically sign,
 4. Save completed form to PC and rename before uploading through E-filing system (OFS Odyssey File & Serve).
- ☐ Some forms may need to be printed and scanned in before E-filing. If you do not have access to a scanner you will have to E-file in person at the Lehigh County Courthouse.

☐ GENERAL INSTRUCTIONS TO PARTIES WITH NO LAWYER

There are complex rules of law that everyone who comes to court must follow. You must follow these rules even though you are not a lawyer because the rules exist to provide an orderly process to reach a fair conclusion. For more information for Pro Se Parties go to <https://www.lccpa.org/selfhelp>

- ☐ Complete the following form:
 - ☐ **Praeipere for self-representation**

☐ SECTION 1 - COMPLAINT PREPARATION

- ☐ Complete the following Complaint Packet and Affidavit Forms:
 - ☐ **Complaint Packet** (Form 4 Complaint and Form 3 Notice to Defend and Claim Rights).
 - ☐ **Affidavit Under § 3301(d)** (Form 10)
 - ☐ **Counter Affidavit Under § 3301(d)** (Form 12)

***IMPORTANT INFORMATION NEEDED**

Write the date you signed Affidavit Under § 3301(d) (Form 10)_____

This date will be needed to complete paragraph 3(b) of Form 8 Praeipere to Transmit Record

☐ **SECTION 2-E-FILING COMPLAINT PACKET AND AFFIDAVIT FORMS**

☐ **Option 1 - E-filing in person at the Lehigh County Courthouse.**

- ☐ Take the following to the Lehigh County Courthouse, Clerk of Judicial Records room 122.
 - ☐ Completed, signed and printed **Praeipice for self-representation form**.
 - ☐ Completed, signed and printed **Complaint Packet**. (Form 3 and 4)
 - ☐ Completed, signed and printed **Affidavit Under § 3301(d)** (Form 10)
 - ☐ Blank copy of **Counter Affidavit Under § 3301(d)** (Form 12)
 - ☐ Cash, Money order or Credit/Debit Card to cover divorce filing fees. No personal checks will be accepted. Note: When using a Credit/Debit Card a service fee will be added.
- ☐ Give the completed, signed and printed forms to the Civil Clerk at the window.
- ☐ Pay all filing fees.

NOTE: For an additional \$1.00 per page conversion fee, the Civil Clerk will E-file your documents for you at the window when you pay, then you may skip the Kiosk.

- ☐ Proceed to Kiosk to E-file original documents.
- ☐ You will receive one (1) time-stamped complimentary copy for your records.
- ☐ You **MUST** make an additional copy of the time-stamped **Complaint Packet and both Affidavit Forms** for Section 3-Serving the Defendant by Certified mail.

☐ **Option 2 – E-filing from your personal computer.**

- ☐ Register at <https://pennsylvania.tylertech.cloud/ofswb>.

Information regarding registration, independent filer instructions, and Family Court Guidelines are available under the Self-Help section of the Lehigh County Odyssey File & Serve site at <https://pennsylvania.tylertech.cloud/ofswb>.
- ☐ E-filing a new action, choose “Start a New Case” from the Filer Dashboard.

Case Information

- ☐ Location-select “Civil”
- ☐ Category-select “Family”
- ☐ Case Type-select “Divorce”

Party Information

- ☐ Enter Plaintiff Name and Address – “Save changes”
- ☐ Enter Defendant Name and Address – “Save changes”

Filings

- ☐ Filing Code select “**Praeipice for Appearance for Family Court**” from drop down list.
 - ☐ Under Lead Document upload your completed **Praeipice for self-representation form**.
 - ☐ “Save Changes”
 - ☐ Click on “Add Another Filing”
- ☐ Filing Code Select “**Complaint for Divorce**” from drop down list.
 - ☐ Under Lead Document upload your completed **Complaint Packet** (Form 3 and 4)
 - ☐ “Save Changes”
 - ☐ Click on “Add Another Filing”

- ☐ Filing Code Select “**Pltf’s 3301 (D) Afdt & Notice**” from drop down list.
 - ☐ Under Lead Document upload your completed **Affidavit under §3301(d)** (Form 10)
 - ☐ “Save Changes”
 - ☐ Click on “Add Another Filing”
- ☐ Filing Code Select “**Affidavit**” from drop down list.
 - ☐ Upload **Blank Counter Affidavit Under §3301(d)** (Form 12)
 - ☐ “Save Changes”

Fees

- ☐ Confirm your payment information.
 - ☐ “Save Changes”
 - ☐ Click on “Summary”. An Attention Filer pop up box will appear. Click “I understand”.
 - ☐ Click “Submit” the filing to the review queue. (You will receive an email notification for each submitted document.)
- ☐ An email notification will be sent upon acceptance or rejection of the filing. The acceptance notification will contain the case number assigned and the time-stamped document(s).
 - ☐ For Section 3-Serving the Defendant by Certified mail:
 - ☐ Print one (1) time-stamped copy of the **Complaint Packet**
 - ☐ Print one (1) time-stamped copy of **Affidavit under §3301(d)**
 - ☐ Print one (1) time-stamped copy of **Blank Counter Affidavit Under §3301(d)**

IMPORTANT TIMING

You only have 30 days from the day your Complaint Packet was accepted and time-stamped through E-filing to complete the next section.

Time-stamped date on accepted E-filed Complaint Packet and both Affidavit Forms is _____

☐ **SECTION 3-SERVING THE DEFENDANT BY CERTIFIED MAIL**

☐ **Time Deadline of Service**

The Plaintiff must serve the Defendant with the Complaint Packet (form 3 and 4), the Affidavit under § 3301(d) (form 10) and a blank copy of the Counter Affidavit Under § 3301(d) (form 12) within 30 days of the date that Forms 3, 4, 10 and 12 were filed with the Clerk of Judicial Records or within 90 days if the Defendant does not live in the state of Pennsylvania.

☐ **Manner of Service**

To use these Self-Help forms, the manner of service must be **Certified mail, return receipt requested, restricted delivery.**

- ☐ **Step 1 Preparing Complaint Packet and Affidavit’s for Service**
 - ☐ Address an envelope to the Defendant.
 - ☐ Put one (1) copy of the following time-stamped E-filed documents in the envelope addressed to the Defendant
 - ☐ **Complaint Packet** (Form 3 and 4)
 - ☐ **Affidavit Under §3301(d)** (Form 10)
 - ☐ **Blank copy of Counter Affidavit Under § 3301(d)** (Form 12)

- ☐ **Step 2 Going to the Post Office**
 - ☐ Take this Checklist with you.
 - ☐ Take addressed envelope containing Complaint Packet and both Affidavit Forms.
 - ☐ Take money for postage.
- ☐ **Step 3 Completing Domestic Return Receipt (green post card Form 3811)**
 - ☐ At the post office obtain Domestic Return Receipt (green post card Form 3811).
 - ☐ Complete Reverse side of the Domestic Return Receipt (green post card Form 3811) so it will be returned to you as proof of service.
 - ☐ Section 1 Article Addressed to: Write Defendant's Name and Address.
 - ☐ Section 2 Article Number: Write Certified Mail Receipt Number.
 - ☐ Section 3 Service Type: Check Certified Mail check box.
 - ☐ Section 4 Restricted Delivery?: Check Yes.

UNITED STATES POSTAL SERVICE

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

Your Name
Your Address

SENDER: COMPLETE THIS SECTION

■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
■ Print your name and address on the reverse so that we can return the card to you.
■ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
Defendant's Name
Defendant's Address

2. Article Number
(Transfer from service label) Certified mail receipt number

PS Form 3811, March 2001 Domestic Return Receipt 102595-01-00-1424

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature X Agent
D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.
 4. Restricted Delivery? (Extra Fee) ☒ Yes

- ☐ Pay postage and Mail.
- ☐ Wait for green post card form 3811 to be returned to you.

***IMPORTANT INFORMATION NEEDED**

The following information is needed to complete paragraphs 2 and 3(b) of Form 8 Praecipe to Transmit Record and Form 5D Affidavit of Service

Service of the Complaint Packet and both Affidavit Forms:

The Date of Service was _____. This is the date the defendant signed the green post card.

Manner of Service: If you followed Section 3, the Manner of Service is
“Certified mail, return receipt requested, restricted delivery.”



If you are unsuccessful or unable to serve the Defendant, then STOP and consult an attorney.

☐ **SECTION 4- PROOF OF SERVICE**

When you receive the Domestic Return Receipt (green post card Form 3811) that was signed by the Defendant do the following:

- ☐ **Step 1 Form preparation**
 - ☐ Complete the following forms:
 - ☐ Form 5D Affidavit of Service of Complaint and Notice to Defend
 - ☐ Form Exhibit A
- ☐ **Step 2 Attach**
 - Attach the Domestic Return Receipt (green post card Form 3811) signature side up to Form Exhibit A.

☐ **SECTION 5-E-FILING PROOF OF SERVICE**

NOTE: If you plan on E-filing from your personal computer, Exhibit A with attached Domestic Return Receipt must be scanned to pdf. If you do not have a scanner, you may E-file at the Clerk of Judicial Records as described in Option 1.

☐ **Option 1 - E-filing at the Lehigh County Courthouse.**

- ☐ Take the following to the Lehigh County Courthouse, Clerk of Judicial Records room 122.
 - ☐ Completed, signed and printed **Affidavit of Service** (Form 5D).
 - ☐ **Exhibit A with attached Domestic Return Receipt** (green post card Form 3811) signature side up.
 - ☐ Cash or Credit/Debit Card to cover fees. No personal checks will be accepted.

Note: When using a Credit/Debit Card a service fee will be added.

- ☐ Choose to E-file at the Kiosk or by the Clerk.
 - ☐ Proceed to Kiosk to E-file original documents at no cost.

OR

- ☐ Give Completed, signed and printed forms to the Civil Clerk at the window.
- ☐ Pay conversion fee of \$1.00 per page. The Civil Clerk will E-file your documents for you.
- ☐ You will receive one (1) time-stamped complimentary copy for your records.
- ☐ Keep **Original** Domestic Return Receipt (green post card Form 3811) for records.

☐ **Option 2 – E-filing from your personal computer.**

- ☐ Scan Exhibit A with attached Domestic Return Receipt to pdf.
- ☐ Log into your OFS account <https://pennsylvania.tylertech.cloud/ofswb>.

Filer Dashboard

- ☐ Choose “File into Existing Case”
- ☐ Search for your assigned Case Number
- ☐ Click on your assigned Case Number
- ☐ Click on “Actions” to the right of the selected Case Number
- ☐ Select “File into Case”

Filings

- ☐ Filing Code select “**Affidavit of Service**” from drop down list.
 - ☐ Under Lead Document Upload **Affidavit of Service** (Form 5D)
 - ☐ “Save Changes”
 - ☐ Click on “Add Another Filing”
- ☐ Filing Code Select “**Exhibit**” from drop down list.
 - ☐ Under Lead Document Upload scanned to pdf **Exhibit A** (Domestic Return Receipt)
 - ☐ “Save Changes”

Fees

- ☐ Confirm your payment information.
- ☐ Click on “Summary”.
- ☐ Click “Submit” the filing to the review queue.
- ☐ Keep **Original** Domestic Return Receipt (green post card Form 3811) for records.

☐ **SECTION 6 - ALLOW 20 DAYS FOR DEFENDANT'S RESPONSE**

If you were able to complete Section 4-Proof of Service and Section 5-E-filing Proof of Service, you now have filed the proof that you served the Complaint Packet (Form 3 and 4), Affidavit Under § 3301(d) (Form 10) and a blank copy of Counter Affidavit Under § 3301(d) (Form 12) on the Defendant.

- ☐ **You must wait 20 days from the Date of Service** to allow the Defendant to respond before proceeding to the next section. Date of Service is the date the Defendant signed the green post card form 3811.

IMPORTANT TIMING

CALCULATE FIRST 20-DAY WAITING PERIOD

ADD 20 days to the Date of Service. (Date of Service is the date the defendant signed the green post card)

Waiting period ends on _____.

DO NOT continue to next section until after this 20-day waiting period.



If the Defendant does respond by filing documents, then STOP and consult an attorney.

☐ **SECTION 7 – NOTICE OF INTENTION TO REQUEST DIVORCE DECREE**

NOTE: Before starting this section, you must be prepared to complete, print and mail the forms to the Defendant the in the same day. You are announcing your plans to ask the court for a divorce decree after 20 additional days.

- ☐ **Step 1 Form preparation**
 - ☐ Complete the following:
 - ☐ Form 14 **Notice of Intention and Blank Copy Cover Letter**
 - ☐ Form 12 **Blank Copy of Counter Affidavit Under § 3301(d)**
 - ☐ Form 11 **Notice of Intention to Request Divorce Decree**
 - ☐ Form 8 **Proposed Praecept to Transmit Record**
- ☐ **Step 2 Mail documents**
 - ☐ Address an envelope to the Defendant
 - ☐ Put one (1) copy of the following in the envelope address to the Defendant
 - ☐ Completed, signed and printed **Notice of Intention and Blank Copy Cover Letter** (Form 14)
 - ☐ **Blank Counter Affidavit Under § 3301(d)** (Form 12)
 - ☐ Completed, signed and printed **Notice of Intention to Request Divorce Decree** (Form 11)
 - ☐ **Praecept to Transmit Record** (Proposed) (Form 8)
 - ☐ Mail to the Defendant by First Class Mail.
- ☐ **Step 3 – Form preparation of Certification of Service**
 - ☐ Complete the following form:
 - ☐ Form 13 **Certification of Service**

☐ **SECTION 8-E-FILE CERTIFICATION OF SERVICE**

NOTE: If you plan on E-filing from your personal computer, you must have a scanner to create a pdf packet. If you do not have a scanner, you may E-file at the Clerk of Judicial Records as described in Option 1.

☐ **Option 1 - E-filing at the Lehigh County Courthouse.**

- ☐ Take the following to the Lehigh County Courthouse, Clerk of Judicial Records room 122.
 - ☐ Completed, signed and printed **Certification of Service** (Form 13)
 - ☐ Completed, signed and printed **Notice of Intention and Blank Copy Cover Letter** (Form 14)
 - ☐ **Blank Counter Affidavit Under § 3301(d)** Form 12
 - ☐ Completed, signed and printed Notice of Intention to Request **Divorce Decree** (Form 11)
 - ☐ **Praeipue to Transmit Record** (Proposed) (Form 8)
- ☐ Cash or Credit/Debit Card to cover filing fees. No personal checks will be accepted.
Note: When using a Credit/Debit Card a service fee will be added.
- ☐ Give completed forms to the Civil Clerk at the window.
- ☐ Pay all filing fees.
NOTE: For an additional \$1.00 per page conversion fee, the Civil Clerk will E-file your documents for you at the window when you pay, then you may skip the Kiosk.
- ☐ Proceed to Kiosk to E-file original documents.
- ☐ You will receive one (1) time-stamped complimentary copy for your records.

☐ **Option 2 – E-filing from your personal computer.**

- ☐ Scan the following completed printed forms into one pdf file: (Make sure Certification of Service (Form 13) is the top page)
 - ☐ **Certification of Service** (Form 13)
 - ☐ **Notice of Intention and Blank Copy Cover Letter** (Form 14)
 - ☐ **Blank Counter Affidavit Under § 3301(d)** (Form 12)
 - ☐ **Notice of Intention to Request Divorce Decree** (Form 11)
 - ☐ **Praeipue to Transmit Record** (Proposed) (Form 8)
- ☐ Log into your OFS account <https://pennsylvania.tylertech.cloud/ofswb>.

Filer Dashboard

- ☐ Choose “File into Existing Case”
- ☐ Search for your assigned Case Number
- ☐ Click on your assigned Case Number
- ☐ Click on “Actions” to the right of the selected Case Number
- ☐ Select “File into Case”

Filings

- ☐ Filing Code select “**Affidavit of Service**” from drop down list.
 - ☐ Under Lead Document upload your scanned **Certification of Service** pdf packet
 - ☐ “Save Changes”

Fees

- ☐ Confirm your payment information.
- ☐ Click on “Summary”.
- ☐ Click “Submit” the filing to the review queue

☐ **SECTION 9-ALLOW 20 DAYS FOR DEFENDANT’S RESPONSE**

- ☐ You must wait 20 days from the date you mailed the Notice of Intention/Proposed Praecipe Packet in Section 7 to allow Defendant to respond before proceeding to the next section.

IMPORTANT TIMING

CALCULATE SECOND 20-DAY WAITING PERIOD

ADD 20 days to the Date of Service completed in Section 7

Waiting period ends on _____.

DO NOT continue to next section until after this 20-day waiting period.



If the Defendant does respond by filing documents, then STOP and consult an attorney.

☐ **SECTION 10-FINAL PRAECIPE TO TRANSMIT RECORD**

- ☐ **Complete** the following Forms:
 - ☐ Form 8 **Praecipe to Transmit Record** (Final)
 - ☐ Form 9 **Decree** (Proposed)

☐ **SECTION 11-E-FILING-PRAECIPE TO TRANSMIT RECORD**

☐ **Option 1 - E-filing at the Lehigh County Courthouse.**

- ☐ Take the following to the Lehigh County Courthouse, Clerk of Judicial Records room 122.
 - ☐ Completed, signed and printed **Praecipe to Transmit Record** (Final) (Form 8)
 - ☐ Completed **Decree** (Proposed) (Form 9)
 - ☐ Cash or Credit/Debit Card to cover filing fees. No personal checks will be accepted.
Note: When using a Credit/Debit Card a service fee will be added.
- ☐ Give completed forms to the Civil Clerk at the window.
- ☐ Pay all filing fees.

NOTE: For an additional \$1.00 per page conversion fee, the Civil Clerk will E-file your documents for you at the window when you pay, then you may skip the Kiosk.

- ☐ Proceed to Kiosk to E-file original documents.
- ☐ You will receive one (1) time-stamped complimentary copy for your records.

☐ **Option 2 – E-filing from your personal computer.**

- ☐ Log into your OFS account <https://pennsylvania.tylertech.cloud/ofswb>.

Filer Dashboard

- ☐ Choose “File into Existing Case”
- ☐ Search for your assigned Case Number
- ☐ Click on your assigned Case Number
- ☐ Click on “Actions” to the right of the selected Case Number
- ☐ Select “File into Case”

Filings

- ☐ Filing Code select “**Praeipie to Transmit Record**” from drop down list.
 - ☐ Under Lead Document Upload **Praeipie to Transmit Record** (Final) (Form 8)
 - ☐ “Save Changes”
 - ☐ Click on “Add Another Filing”
- ☐ Filing Code Select “**Proposed Divorce Decree**” from drop down list.
 - ☐ Under Lead Document Upload **Decree** (Proposed) (Form 9)
 - ☐ “Save Changes”

Fees

- ☐ Confirm your payment information.
- ☐ Click on “Summary”.
- ☐ Click “Submit” the filing to the review queue.

If all the required forms are completed correctly, filed at correct time and the filing is done in accordance with the Rules of Court, the Decree is entered and mailed to the parties.

- **Divorce Granted on** _____