

The Irving Law Firm

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Divorce & Family Law | Fairfax, Virginia

Trusted Fairfax Divorce Lawyers | Free Consultation

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Virginia Divorce Residency Requirements Fairfax The Irving Law Firm Filing for divorce in Virginia requires satisfying the state's residency requirement before the case can proceed. Under the Virginia Code, at least one spouse must be a bona fide resident and domiciliary of the Commonwealth for six months immediately before filing the divorce complaint. This means more than simply being physically present in Virginia: it requires that the person have established Virginia as their permanent home with the intention to remain. The Irving Law Firm advises clients in Fairfax on how to establish and document their satisfaction of this residency requirement. The residency requirement has particular applications for the military and federal government communities that are large in the Fairfax area. Active duty service members who are stationed in Virginia are presumed [Article source](#) under the Virginia Code to be domiciled in Virginia for divorce purposes. Federal employees and foreign service officers who are living abroad but were previously domiciled in Virginia may also qualify under specific provisions of the statute. The firm helps clients in these situations determine whether Virginia is the appropriate jurisdiction for their divorce. When both spouses are in different states or countries, questions of jurisdiction must be resolved before the Virginia proceeding can advance. Virginia courts have personal jurisdiction over a spouse who is served in Virginia or who has sufficient connections to the Commonwealth, and they have subject matter jurisdiction over the divorce itself when the residency requirement is met. The Irving Law Firm works through these jurisdictional questions at the outset of representation.

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Understanding the residency and jurisdictional requirements is the first step in any Virginia divorce, and The Irving Law Firm helps clients navigate this threshold analysis before any filings are made. Accurate early analysis of jurisdiction avoids wasted effort and protects clients from procedural errors that can delay their case. Call The Irving Law Firm - Fairfax Divorce Lawyers at (571) 474-1990 for a case evaluation. Office at 10505 Judicial Drive, Suite 300, Fairfax, VA 22030.