***SOCIALIST REPUBLIC OF VIETNAM***

***Independence – Freedom – Happiness***

*(1)…., date … month ... year ...*

***PETITION FOR LAWSUIT***

***(Regarding Divorce, Child Custody, Division Of Joint Property, and Joint Debts)***

***To****:* ***The People’s Court of …****(2)*

|  |
| --- |
| 1. ***Plaintiff Information (3)***
 |
| *Full Name:* | *…………………………………………………………………….* |
| *Date of Birth:* | *…………………………………………………………………….* |
| *ID Card/Passport Number:* | *…………………………………………………………………….* |
| *Permanent Address:* | *…………………………………………………………………….* |
| *Contact Address:* | *…………………………………………………………………….* |
| *Phone Number:* | *…………………………………………………………………….* |
| 1. ***Defendant Information (4)***
 |
| *Full Name:* | *…………………………………………………………………….* |
| *Date of Birth:* | *…………………………………………………………………….* |
| *ID Card/Passport Information:* | *…………………………………………………………………….* |
| *Permanent Address:* | *…………………………………………………………………….* |
| *Contact Address:* | *…………………………………………………………………….* |
| *Phone Number:* | *…………………………………………………………………….* |

***III.******Content of The Lawsuit (5)***

1. ***Marital Relationship***

*………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………....*

1. ***Joint Children***

*………………………………………………………………………………………………………………………………………………………………………....*

1. ***Joint Property***

*………………………………………………………………………………………………………………………………………………………………………....*

1. ***Joint Debts***

*………………………………………………………………………………………………………………………………………………………………………....*

1. ***Request for Alimony***

*……………………………………………………………………………………………………………………………………………………………………….....*

*The above constitutes my complete petition regarding the issues of divorce, child custody, division of joint property, and joint debts.*

*I respectfully request that the Honorable Court duly consider and adjudicate these issues.*

*I sincerely thank you for your attention to this matter!*

***IV. Documents Submitted in Support of the Application (6)***

*……………………………………………………………………………………………………………………………………………………………………….....*

|  |  |
| --- | --- |
|  | ***PLAINTIFF (7)*** |

***GUIDELINES FOR WRITING:***

*(1) Specify the location for filing the lawsuit. (for example: Da Nang, date … month … year …)*

*(2) Indicate the name of the competent court to resolve the case; if it is a district-level People's Court, clearly state which district People's Court it is within which province or centrally-controlled city (for example: District People's Court A of Province B); if it is a provincial-level People's Court, specify which provincial (city) People's Court it is (for example: Da Nang City People's Court) and provide the address of that court.*

*(3) If the plaintiff is an individual, provide full name; in cases where the plaintiff is a minor, a person with no civil capacity, a person with limited civil capacity, or a person with cognitive difficulties, include the full name and address of their legal representative; if the plaintiff is an agency or organization, state the name of the agency or organization and include the full name of its legal representative.*

*(5) Clearly state each issue that you request the Court to resolve:*

***- Marital Relationship:****(Explain: On what date were the spouses married? Was the marriage registered? If so, where at the People's Committee of which commune/ward? Was the marriage entered into with mutual understanding and consent? During the course of living together as husband and wife, was the marriage a happy one? At what point did conflicts arise? What were the causes of the conflicts? Was there ever a period of separation? As of now, is there still any affection remaining?)*

***- Joint Children:*** *(Explain: Do the spouses have any joint children? If so, how many? What are the names and dates of birth of the child/children? Currently, with whom are the children living? How do you request this matter be resolved?)*

***- Joint Property:*** *(Explain: Do the spouses have any joint property? Will you resolve this yourselves or request the Court resolve it? If requesting the Court resolve it, clearly state the origin, current status, and value of the property and specify how you request the property matter be resolved?)*

***- Joint Debts:*** *(Explain: Do the spouses have any joint debts as money or property? If there are joint debts, will the two parties resolve them yourselves or request the Court resolve them? If requesting the Court resolve them, clearly state who the creditor is, when the debt is to be repaid, and request the allocation of debt repayment obligations in the petition for divorce.)*

*(6) Clearly list the names of documents attached to the petition, including which documents are included and number them sequentially (for example: the documents attached to the petition include: a copy of the house sale contract, a copy of the land use rights certificate, etc.)*

*(7) If the plaintiff is an individual, signature or fingerprint must be included; in cases where the plaintiff is a minor, a person lacking civil capacity, a person with limited civil capacity, or a person with cognitive difficulties, the legal representative must sign or provide a fingerprint; if the plaintiff or their legal representative is illiterate, unable to see, unable to file the petition themselves, or unable to sign or fingerprint themselves, a competent civil procedural actor must witness and sign to confirm the petition. If an organization is filing the lawsuit, the legal representative of that organization must sign, clearly state their full name and position, and affix the organization's seal. In cases where the organization filing is a business, the use of a seal must comply with business law regulations. If the plaintiff is illiterate, a witness must sign to confirm as stipulated in point c of clause 2 of Article 189 of the Civil Procedure Code.*