

**AFFIDAVIT OF MAILING/PERSONAL SERVICE - PLAINTIFF'S CLAIM**  
(See Instructions on Reverse Side)

AFFIDAVIT OF MAILING OF Plaintiff's Claim and Defendant's Forms:

Name of Person who Mailed Papers	Time Mailed <input type="checkbox"/> A.M. <input type="checkbox"/> P.M.	Date Mailed
Defendant(s) To Whom Papers Were Mailed	Where addressed (list each Defendant's name and address separately)	
	Restricted Delivery receipt no.:	
Mailed at United States Post Office in City of	In the State of	

I swear that I am at least 18 years of age, and that at the time and on the date shown above, I deposited a true copy of the PLAINTIFF'S CLAIM and DEFENDANT'S FORMS in this case, securely enclosed in an envelope with Restricted Delivery, Return Receipt postage duly prepaid, for each Defendant listed, at the above named United States Post Office.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
Signature of person who mailed papers

\_\_\_\_\_  
Clerk or Notary Public

If notary, my commission expires: \_\_\_\_\_ County, North Dakota

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AFFIDAVIT OF PERSONAL SERVICE OF Plaintiff's Claim and Defendant's Forms:

Name of Person who Served Papers	Time Served <input type="checkbox"/> A.M. <input type="checkbox"/> P.M.	Date Served
Defendant(s) on Whom Papers Were Served	Address where served	

I swear that I am at least 18 years of age, not a party to or interested in the above action, and that on the time and date shown above, I personally served a true copy of the Plaintiff's Claim and the Defendant's Forms in this case, on the Defendant and at the address shown above.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
Signature of person who served papers

\_\_\_\_\_  
Clerk or Notary Public

If notary, my commission expires: \_\_\_\_\_ County, North Dakota

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SMALL CLAIMS COURT \_\_\_\_\_ COUNTY, North Dakota. CASE NO. \_\_\_\_\_

PLAINTIFF \_\_\_\_\_ vs. DEFENDANT \_\_\_\_\_

**INSTRUCTIONS**

**FOR SERVING PAPERS ON A DEFENDANT**

Copies of the "Claim Affidavit" and the Defendant's Forms must be served on each defendant if there is more than one defendant.

**SERVICE MAY BE DONE IN TWO WAYS:**

**BY MAIL**

A. If you elect to serve papers by mail you must:

1. Send to the Defendant by Restricted Delivery with Return Receipt the following:
  - a. One copy of Form 1
  - b. One copy of Form 2
  - c. All the copies of Form 3
  - d. All the copies of Form 4
  - e. One copy of Form 5
  - f. One copy of Form 7
2. Complete the "Affidavit of Mailing" section on the reverse side of this form and have the person who mailed the forms sign in the appropriate section, in front of a clerk or notary.

You MUST FILE the completed "Affidavit of Service" and the signed return receipt with the clerk AS SOON as you receive the card from the post office.

Assistance in serving papers by mail will be given to you at the post office.

**OR**

**PERSONAL SERVICE**

B. You may serve the Defendant personally by:

1. Giving the forms to the sheriff to be served. (The sheriff will charge you a fee, which might be assessed against the Defendant if you win.)
2. You may have another person who is of legal age and who is not a party to or interested in the case give the papers to the Defendant. If this is done, the person giving the papers to the Defendant must fill out the reverse side of this form and sign it before a clerk or have his/her signature notarized.

The Defendant must be served with:

- a. One copy of Form 1
- b. One copy of Form 2
- c. All the copies of Form 3
- d. All the copies of Form 4
- e. One copy of Form 5
- f. One copy of Form 7

After service is completed, you MUST FILE the completed "Affidavit of Service" with the clerk AS SOON as you receive the affidavit.