

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF \_\_\_\_\_

_____ )	Case No. _____
(Plaintiff) )	
PLAINTIFF, )	
Vs )	REQUEST TO APPEAR BY
_____ )	RELIABLE ELECTRONIC
(Defendant) )	MEANS
DEFENDANT, )	

1. I, \_\_\_\_\_ (*name*) am the \_\_\_\_ Plaintiff  
\_\_\_\_ Defendant (*choose one*) in this case.

2. I ask the Court to allow \_\_\_\_ me \_\_\_\_ Other \_\_\_\_\_ (*specify*)  
to appear by reliable electronic means for the hearing scheduled on \_\_\_\_\_  
\_\_\_\_\_ and located at \_\_\_\_\_  
\_\_\_\_\_.

3. I ask the Court to allow \_\_\_\_ me (*or*) \_\_\_\_ Other \_\_\_\_\_ (*specify*)  
to appear at the hearing by the following reliable electronic means: (*select one*)

- a. \_\_\_\_ From telephone number \_\_\_\_\_.
- b. \_\_\_\_ Interactive Video Network (IVN) from the following location \_\_\_\_\_  
\_\_\_\_\_.
- c. \_\_\_\_ Other \_\_\_\_\_  
from the following location \_\_\_\_\_  
\_\_\_\_\_.

4. I would like the Court to consider the following information in making its decision whether  
to allow an appearance by reliable electronic means. (*Select all that apply. Note: The Court  
can still deny your request, even though boxes are checked.*)

- a. \_\_\_\_ I live or work outside of the State of North Dakota in (*specify location*):  
\_\_\_\_\_.
- b. \_\_\_\_ I live in \_\_\_\_\_ County in North Dakota, which is \_\_\_\_\_ miles  
from the above courthouse where the hearing is set.
- c. \_\_\_\_ Other (*specify*): \_\_\_\_\_  
\_\_\_\_\_.

5. I agree that, if approved, I will coordinate with the Court and the other parties for scheduling and to ensure equipment compatibility before the date of the hearing.
6. I agree to be responsible for the costs and arrangements of this appearance if required by the court.
7. A copy of this request is being provided to all other parties in this case, as listed below:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_.

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
*(Signature of Requestor)*

Printed Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone #: \_\_\_\_\_

**ORDER**

The request to participate by reliable electronic means is:

- DENIED
- GRANTED

You must be at the number provided, the ITV site, or the other site listed above at the time of trial/hearing and be prepared to be contacted by the Court.

\_\_\_\_\_  
*(Date)*

\_\_\_\_\_  
*(District Judge or Judicial Referee Signature)*

## INSTRUCTIONS FOR REQUEST TO APPEAR BY RELIABLE ELECTRONIC MEANS FORM

**\*\*\*The District Court where your case is filed may have a local form for requesting to appear by reliable electronic means. Contact the Clerk of Court to ask if a local form is preferred.**

**Court employees cannot help you fill out the form.**

**Do not include these instruction sheets when you file the completed form.**

### Page 1

- **Top of form:**

1. Fill in the name of the County in North Dakota where the case is filed.
2. Fill in full, legal name of the Plaintiff on the Plaintiff line.
3. Fill in full, legal name of the Defendant on the Defendant line.
4. Fill in the case number on the Case No. line.

- **Paragraph 1:**

1. Fill in your full, legal name.
2. Tell the court if you are the Plaintiff or the Defendant. Put a checkmark (✓) on the appropriate line. Choose only one.

- **Paragraph 2:**

1. Tell the court if you are requesting to appear by reliable electronic means or if you are requesting that someone else (i.e. a witness) appear by reliable electronic means. Put a checkmark (✓) on the appropriate line.
2. If you are requesting that someone else appear by reliable electronic means, fill in the name of that person.
3. Fill in the hearing date, time and location.

- **Paragraph 3:**

1. Tell the court if you are requesting to appear by reliable electronic means or if you are requesting that someone else (i.e. a witness) appear by reliable electronic means. Put a checkmark (✓) on the appropriate line.

2. If you are requesting that someone else appear by reliable electronic means, fill in the name of that person.
3. Put a checkmark (✓) on the line next to the way you are requesting to appear at the hearing. Provide specific details, including but limited to, telephone number, physical address, etc.

- **Paragraph 4:**

1. Tell the court why you are requesting to appear by reliable electronic means. Put a checkmark (✓) on the appropriate line(s). Fill out any additional information as indicated.

**Page 2**

- **Paragraph 7:**

1. You must serve a copy of this completed request on all parties in this case. If a party is represented by an attorney, do not serve the party, you must serve the attorney.
2. Tell the court the full name of each party, or the party's attorney, if the party is represented.

- **Date and Signature Lines:**

1. Sign and date the form.
2. Type or print your name, address and telephone number.

**Next Steps:**

**1. Make at least two copies of the completed request.**

A copy of the completed request must be served (given) to the other party or parties. Keep one copy for your records.

**2. Serve a copy of the completed request on the other party or parties.**

Mail a copy of the completed request, postage prepaid, to each party. If a party is represented by a lawyer, mail a copy of the completed request to the lawyer.

**3. Complete an Affidavit of Service by Mail for each party served.**

See the Affidavit of Service by Mail form for instructions. Keep a copy for your records.

- 4. File the original completed request and the original completed affidavit of service with the clerk of court where the case is filed.**
- 5. You will be notified by the court if your request is granted or denied.**

**Do not include these instruction sheets when you file the completed form.**

IN DISTRICT COURT, \_\_\_\_\_ COUNTY, STATE OF NORTH DAKOTA

\_\_\_\_\_  
Plaintiff

CASE # \_\_\_\_\_

vs.

AFFIDAVIT OF SERVICE  
BY MAIL

\_\_\_\_\_  
Defendant

STATE OF NORTH DAKOTA COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_ (Person Serving Documents), I swear that I am at least 18 years of age, and on \_\_\_\_\_ (Date), I served the Request to Appear by Reliable Electronic Means, in the above entitled case, on the following party by placing a true and correct copy of each in an envelope to the last known address of:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

and depositing the envelope, with sufficient postage, in the United States mail at the Post Office located in \_\_\_\_\_ (City), \_\_\_\_\_ (State).

\_\_\_\_\_  
(Signature of Person Who Mailed Envelope)

Dated: \_\_\_\_\_

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

Clerk or Notary Public \_\_\_\_\_ County, North Dakota

If notary, my commission expires: \_\_\_\_\_

## INSTRUCTIONS FOR AFFIDAVIT OF SERVICE BY MAIL

**Court employees cannot help you fill out the form.**

**Do not include this instruction sheet when you file the completed form.**

- **Top of form:**

1. Fill in the name of the County in North Dakota where the case is filed.
2. Fill in full, legal name of the Plaintiff on the Plaintiff line.
3. Fill in full, legal name of the Defendant on the Defendant line.
4. Fill in the case number on the Case No. line.

- **Person serving documents and date:**

1. Fill in the full name of the person serving the documents and the date the documents were served.

- **Name and address lines:**

1. Fill in the name of the party or the party's attorney that you are serving. If the party is represented by an attorney, you only need to serve the attorney.
2. Fill in the address of the party or the party's attorney that you are serving.

- **Post Office City/State lines:**

1. Fill in the city and state of the Post Office where the copies of the documents were mailed.

- **Signature and Notary Public Lines:**

1. **DO NOT** complete the Signature and Notary Public lines until you are in front of a North Dakota Clerk of District Court or a notary public. The clerk or notary public will witness the signature and fill out and sign the Notary Public lines.
2. You will need to show a driver's license or photo identification card so the notary public or clerk of court can verify your identify.
3. If you are unsure what type of photo identification to bring, contact the notary public or clerk of court.