

Dated _____, 20____

(Signature)

State of: _____

County of: _____

Signed and sworn to before me on _____, 20____ by

Notary Public

INSTRUCTIONS FOR AFFIDAVIT

ND Legal Self Help Center Staff and Court employees cannot help you fill out forms. If you are unsure how to proceed, you should consult a lawyer.

There is no guarantee that all judges and courts will accept forms available through the ND Legal Self Help Center. Use at your own risk.

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

THE [GUIDE TO A CIVIL ACTION](#) on the ND Legal Self Help Center website has additional information and resources.

An affidavit is a written statement of fact made under oath. The affidavit must be signed in the presence of a notary public by the individual making the written statement.

This form is not a fillable form. To create an affidavit using this form, you have at least two options:

Option One: Print this form on 8 ½" x 11" paper and hand-write the affidavit. The hand-writing must be easily readable. Black ink is preferred.

Option Two: Copy and paste the Caption and Signature sections into a word processing program, for example, Microsoft Word, WordPerfect, Google Docs, or OpenOffice. Use this form and these instructions as your guide to format the affidavit.

Caption (Top of Affidavit Form):

- If you copied and pasted the Caption section into a word processing program, format your caption as close as you can to the Caption section of the Affidavit form.
- Complete the caption exactly as it appears in the Plaintiff's complaint.
- Fill in the case number, if known. If the action has not been filed, the case number will be assigned by the clerk of court when the action is filed.

First Sentence:

- Fill in the full, legal name of the individual who is giving their written statement of fact.

Written Statement of Fact:

- Type or print the statement of fact.
- Number each paragraph of the statement of fact.

Sign and Date the Affidavit in the Presence of a Notary Public:

- The date and signature are at the end of the written statement of fact.
- If you copied and pasted the Signature section into a word processing program, format the signature section as close as you can to the Signature section of the Affidavit form.
- The individual giving their written statement of fact must sign and date the Affidavit in front of a notary public.
- The notary public will witness the signature and fill out and sign the Notary Public lines.

Page Numbering:

- Number the pages of the affidavit
- The last page of the affidavit is page with the date and signature of the individual giving their written statement of fact and the notary public date, signature and seal.

Service:

In general, copies of documents filed, or intended to file, with the court must be provided to the other parties in the civil action. This is called service.

There are specific requirements for serving documents. Rule 4 and Rule 5 of the [North Dakota Rules of Civil Procedure](#) give the requirements for service in a civil action.

Proof of service is an important step in the legal process. The court will not act on papers filed with the court until proof of service is filed.

For information about service and proof of service in a civil action, go to the [Service](#) link on the ND Legal Self Help Center website.

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

****The North Dakota Legal Self Help Center provides resources to people who represent themselves in civil matters in the North Dakota courts. The information provided by the Center is not intended for legal advice but only a general guide to the court process. The Center cannot guarantee that all judges and courts will accept forms available through the Self Help Center. The Center is not responsible for any consequences that may result from the information provided. The information cannot replace the advice of competent legal counsel licensed in the state. Use at your own risk.****