

## Instructions For Notice Of Filing

ND Legal Self Help Center Staff and Court employees **can't** help you fill out forms, or create documents for you. If you're unsure how to proceed, consult a lawyer.

ND Legal Self Help Forms **aren't** official forms. Judges and courts **aren't** required to accept them. There's no guarantee Center forms will be accepted. Use at your own risk.

Don't include these instruction sheets when you serve or file the completed Notice of Filing form.

The "Filing Process" Section of the [Guide to a Civil Action, or Civil Case](#) on the [ND Legal Self Help Center webpage](#) has additional information and resources.

Review [Rule 5\(d\) of the North Dakota Rules of Civil Procedure](#) carefully!

The party that files the Summons and Complaint **must** serve notice of filing on all other parties.

The party that files the Answer after the Summons and Complaint is filed **must** serve notice of filing on all other parties.

- Complete the top of the Notice of Filing exactly as it appears in the Plaintiff's Complaint.
- List the names of all the other parties on the "To:" line. If a party is represented by a lawyer, list the name of the lawyer.
- Put a checkmark (✓) next to document(s) filed.
  - If you're a Defendant filing the Summons and Complaint along with your Answer or Answer and Counterclaim, put a checkmark (✓) next to Summons and Complaint, **and** a checkmark (✓) next to **either** the Answer **or** the Answer and Counterclaim.
- Fill in the file number that was assigned when the Summons and Complaint were filed. The file number is also called the case number.

### Sign and Date the Notice of Filing:

- The party that filed the document or documents signs and dates the Notice of Filing.

### Service:

- A copy of the Notice of Filing **must** be served on **all** other parties.

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

There are specific requirements for serving documents. [Rule 5](#) of the North Dakota Rules of Civil Procedure gives the requirements for service after a civil case has been started.

Proof of service is an important step in the legal process. The court **won't act** on papers filed with the court until proof of service is filed.

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

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

State Of North Dakota

In District Court

County Of \_\_\_\_\_

\_\_\_\_\_ Judicial District

\_\_\_\_\_) )

Plaintiff, )

vs )

Case No. \_\_\_\_\_

**Notice of Filing**

\_\_\_\_\_) )

Defendant, )

To: \_\_\_\_\_

*(List names of parties to receive notice of filing)*

**1. Please Take Notice** that as required by Rule 5(d) of the North Dakota Rules of Civil Procedure, you are hereby notified that the *(put a checkmark (✓) next to document(s) filed)*:

- Summons and Complaint for this case
- Answer to Summons and Complaint for this case
- Answer and Counterclaim to Summons and Complaint for this case

have been filed with the Clerk of Court in \_\_\_\_\_ County, State of North Dakota, and has been assigned file number \_\_\_\_\_.

**2.** Please indicate the assigned file number on the front or title page in the upper right-hand portion of **all** documents to be filed.

Dated \_\_\_\_\_.

\_\_\_\_\_  
Signature

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

\_\_\_\_\_  
Address City, State, Zip Code

\_\_\_\_\_  
Telephone Number Email Address