

STATE OF NORTH DAKOTA

IN JUVENILE COURT

COUNTY OF _____

_____ JUDICIAL DISTRICT

IN THE INTEREST OF _____, DOB _____, A CHILD.

_____)	
(<i>Petitioner</i>))	Case No. _____
PETITIONER,)	
Vs)	
_____)	AFFIDAVIT
_____)	
_____)	
(<i>Respondent(s)</i>))	
RESPONDENT(S).)	

I, _____,

the undersigned, being first sworn, on my oath state as follows:

1.

Dated _____, 20____

(Signature)

(Printed Name)

(Address)

(City, State, Zip Code)

(Telephone Number)

State of: _____

County of: _____

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

Notary Public or Clerk of Court

If Notary, my commission expires: _____

INSTRUCTIONS FOR JUVENILE COURT AFFIDAVIT

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

As a self-represented individual, you are responsible for following the same laws, rules, and procedures as an attorney.

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.

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.

You may find this General-Use Juvenile Court affidavit form of interest as a starting point for creating affidavits for use in juvenile court actions.

Laws and Rules Related to Juvenile Court Actions

Following are legal research starting points related to Juvenile Court actions. You will need to conduct additional legal research into your legal issue.

[Chapter 27-20 of the North Dakota Century Code](#) contains laws enacted by the North Dakota Legislative Assembly that apply in juvenile court actions.

The [North Dakota Rules of Juvenile Procedure](#) govern all juvenile court actions.

The [North Dakota Rules of Evidence](#) govern in juvenile court actions, unless an exception applies from [Rule 1101](#) of the North Dakota Rules of Evidence.

See also, the [North Dakota Rules of Civil Procedure](#) and the [North Dakota Rules of Court](#). These rules may be used to fill in gaps in Juvenile Court process that Chapter 27-20 and the North Dakota Rules of Juvenile Procedure do not cover.

Definition of a “Child” for Juvenile Court Actions

The child who is the focus of the Juvenile Court action must be **either**:

1. Unmarried and under the age of 18; **or**
2. Under the age of 20 and committed the delinquent act while under the age of 18.

Only Certain Types of Actions are Allowed in Juvenile Court

Delinquency: A delinquent child is a child who has committed an act that is considered a crime and is in need of treatment or rehabilitation.

Unruly: An unruly child is a child who has committed an offense that only applies to a child, such as truancy, consuming or possessing alcohol, disobedience of parental commands, or using tobacco, and is in need of treatment or rehabilitation.

Deprivation: A deprived child is a child who is “without proper parental care or control necessary for the child’s physical, mental or emotional health, or morals, and the deprivation is not due primarily to the lack of financial means of the child’s parents, guardian or other custodian.”

Termination of Parental Rights: An order terminating parental rights of a parent terminates all the parent's rights and obligations with respect to the child and of the child to or through the parent arising from the parental relationship.

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 juvenile court summons.
- Fill in the Juvenile Court case number, if known. If the action has not been filed, the case number will be assigned when the action is filed in Juvenile Court.

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.
- If additional pages are needed, add the additional page or pages between the Caption page and the Signature page.

Write or type on one side only of each additional page.

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 or clerk of court.
- The notary public or clerk of court will witness the signature and fill out and sign the Notary Public lines.

Page Numbering:

- Number the pages of the affidavit. Page 1 is the Caption page.
- 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 or clerk of court date and signature.

Service:

For information about service and proof of service in a juvenile court action, go to the [Service](#) link on the ND Legal Self Help Center website at www.ndcourts.gov/legal-self-help.

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.****