

Divorce When the Spouses Don't Agree

Instructions for Declaration of Service by Personal Delivery

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

ND Legal Self Help Center forms aren't official court 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 this instruction sheet when you serve or file the completed form.

Personal Service

- If you, the Plaintiff, decide to arrange to serve a copy of the Summons and Complaint by personal service, the person who serves the documents must be at least 18 years old and not a party in the action or interested in the action.
 - **You, the Plaintiff, can't serve the documents yourself!**
- The person must serve the documents as required by [Rule 4\(d\) of the North Dakota Rules of Civil Procedure](#).
- The person who served the documents must fill out a Declaration of Service by Personal Delivery and sign and date the Declaration.
- You, the Plaintiff, file the signed and dated Declaration of Service by Personal Service.

Complete the Declaration of Service by Personal Delivery

You, the Plaintiff, Fill in the Top of the Form

The information to fill out the top part of the form ("the caption") is the same as on the Summons form.

- Fill in the full, legal name of the spouse who is listed as the Defendant.
- Leave Case No blank. When all of the completed documents are accepted for filing, the Clerk of Court assigns a case number.

To The Person Who Served the Court Documents

You're responsible to complete the remainder of the Declaration form as follows:

- Paragraph 1:** Fill in your full name.
- Paragraphs 2 and 3:** Read these statements carefully. If these statements aren't true, you can't use this form.
- Paragraph 4:** Fill in the date and time the documents were served. Put a checkmark in the box for a.m. or p.m.
 - Fill in the street address, city, state, and zip code where the documents were served.
- Paragraph 5:** Fill in the name of the person you served (handed the documents).
 - Put a checkmark next to the statement that is true.
- Paragraph 6:** Fill in how you identified the person.
- Paragraph 7:** Read Carefully!! You're declaring, under penalty of perjury under the laws of North Dakota, that everything you stated on the form is true and correct.
- Signature Block:**
 - Fill in the date you signed this Declaration;
 - Fill in the city, county, state, and country where you signed this Declaration.
 - Sign your name;
 - Print your name;
 - Fill in your address;
 - Fill in your city, state, and zip code.
 - Fill in your phone number;
 - Fill in your email address.
- You, the Plaintiff, make a copy of the Declaration.**

****Make a copy of this Declaration and continue with the filling instructions found in Step 6 of the Instructions to Start a Divorce When the Spouses Don't Agree (Divorce Without Children).**

STATE OF NORTH DAKOTA
COUNTY OF _____

IN DISTRICT COURT
_____ JUDICIAL DISTRICT

PLAINTIFF,
vs

DEFENDANT.

Case No. _____

**DECLARATION OF SERVICE BY
PERSONAL DELIVERY**

The person who personally served court documents states:

1. My name is _____ (name of person who personally served documents in Paragraph 3).

2. I am at least 18 years of age. I am **not** a party or interested in the above named action.

3. List of Court Documents Served:

- Summons
- Complaint for Divorce

4. Date, Time, and Address of Personal Service:

Date: _____ Time: _____ a.m. (or) p.m.

Address:

(street address) (city) (zip code)

5. I served a true and correct copy of each of the court documents listed in Paragraph 3 to _____ (name of person served) by (choose one):

Giving the court documents directly to them.

Leaving the court documents with _____ (name),

a person of suitable age and discretion who lives at the same address in Paragraph 4.

6. I know the person I served is the person intended to be served because (*explain how you identified the person*): _____

7. I declare, under penalty of perjury under the law of North Dakota, that everything I stated in this Declaration of Service by Personal Delivery is true and correct.

Signed on _____ (*date*) in _____ (*city*),
_____ County, _____ (*state*), _____ (*country*).

Signature of Person Who Personally Served Documents

Printed Name of Person Who Personally Served Documents

Address

City, State, Zip Code

Telephone Number

Email Address