

AFFIDAVIT OF MAILING/PERSONAL SERVICE - PLAINTIFF'S CLAIM
 (See Instructions on Reverse Side)

AFFIDAVIT OF MAILING OF Plaintiff's Claim and Defendant's Forms:

Name of Person who Mailed Papers	Time Mailed <input type="checkbox"/> A.M. <input type="checkbox"/> P.M.	Date Mailed
Defendant(s) To Whom Papers Were Mailed	Where addressed (list each Defendant's name and address separately)	
Certified mail receipt no.:		
Mailed at United States Post Office in City of	In the State of	

I declare under penalty of perjury that I am at least 18 years of age, and that at the time and on the date shown above, I deposited a true copy of the PLAINTIFF'S CLAIM and DEFENDANT'S FORMS in this case, securely enclosed in an envelope with certified mail - restricted delivery, postage duly prepaid, for each Defendant listed, at the above named United States Post Office.

Dated this ____ day of

Signature of person who mailed papers

_____ 20 ____.

_____ County, North Dakota

AFFIDAVIT OF PERSONAL SERVICE OF Plaintiff's Claim and Defendant's Forms:

Name of Person who Served Papers	Time Served <input type="checkbox"/> A.M. <input type="checkbox"/> P.M.	Date Served
Defendant(s) on Whom Papers Were Served	Address where served	

I declare under penalty of perjury that I am at least 18 years of age, not a party to or interested in the above action, and that on the time and date shown above, I personally served a true copy of the Plaintiff's Claim and the Defendant's Forms in this case, on the Defendant and at the address shown above.

Dated this ____ day of

Signature of person who served papers

_____ 20 ____.

_____ County, North Dakota

SMALL CLAIMS COURT _____ COUNTY, North Dakota. CASE NO. _____

PLAINTIFF _____ vs. DEFENDANT _____

INSTRUCTIONS**FOR SERVING PAPERS ON A DEFENDANT**

Copies of the "Claim Affidavit" and the Defendant's Forms must be served on each defendant if there is more than one defendant.

SERVICE MAY BE DONE IN TWO WAYS:**BY MAIL**

A. If you elect to serve papers by mail you must:

1. Send to the Defendant by Certified Mail - Restricted Delivery with Return Receipt Requested the following:
 - a. FORM 1 - Small Claims Court Information (*keep 1 copy for yourself*).
 - b. FORM 2 - Claim Affidavit (*serve 1 copy of completed & signed Form 2*).
 - c. FORM 3 - Request for Hearing/Removal to District Court (*blank - don't fill out Form 3*).
 - d. FORM 4 - Defendant's Answer and Counterclaim (*blank - don't fill out Form 4*).
 - e. FORM 5 - Affidavit of Mailing for Counterclaim (*blank - don't fill out Form 5*).
 - f. FORM 7 - North Dakota Small Claims Court Act (*keep 1 copy for yourself*).
2. Complete the "Affidavit of Mailing" section on the reverse side of this form and have the person who mailed the forms sign in the appropriate section.
3. You MUST FILE the completed "Affidavit of Service" and the signed return receipt with the clerk AS SOON as you receive the card from the post office.

OR**PERSONAL SERVICE**

B. You may serve the Defendant personally by:

1. Giving the forms to the sheriff to be served. (The sheriff will charge you a fee, which might be assessed against the Defendant if you win.)
2. You may have another person who is of legal age and who is not a party to or interested in the case give the papers to the Defendant. If this is done, the person giving the papers to the Defendant must fill out the reverse side of this form and sign it.

The Defendant must be served with:

- a. FORM 1 - Small Claims Court Information (*keep 1 copy for yourself*).
 - b. FORM 2 - Claim Affidavit (*1 copy of completed & signed Form 2*).
 - c. FORM 3 - Request for Hearing/Removal to District Court (*blank - don't fill out Form 3*).
 - d. FORM 4 - Defendant's Answer and Counterclaim (*blank - don't fill out Form 4*).
 - e. FORM 5 - Affidavit of Mailing for Counterclaim (*blank - don't fill out Form 5*).
 - f. FORM 7 - North Dakota Small Claims Court Act (*keep 1 copy for yourself*).
3. After service is completed, you MUST FILE the completed "Affidavit of Service" with the clerk AS SOON as you receive the affidavit.