

AF04

Completing the Military Affidavit

Produced by the Suffolk Probate & Family Court Community Outreach Program—Richard Iannella, Register

READ THIS:

Information provided in this packet IS NOT LEGAL ADVICE, It is information. This information is not a substitute for a competent lawyer.

When you sign a legal document or file any papers in court, it can seriously affect you in the future. You should always try to get legal advice before filing documents.

Bar Association lawyer referral services are listed in our brochure "Legal Resources in and around Suffolk County." Also listed are free legal service providers. You may be eligible for help.

INSTRUCTIONS FOR COMPLETING the *MILITARY AFFIDAVIT*

PLEASE PRINT OR TYPE ALL INFORMATION

The line numbers of the instructions match the numbers on the sample form on the opposite page.

1. Put in SUFFOLK.
2. Put in the Docket Number for this case, if one has been assigned.
3. If you are filing a Guardianship fill in the name of the child, in a Probate case fill in the name of the decedent. If you are filing a Complaint for Divorce, Modification, or Paternity, do not complete this section.
4. **If you are filing a Complaint for Divorce, Modification, or Paternity**, cross out the word "Petition" and put in the type of complaint. **If you are filing a Guardianship or Probate case**, cross out the word complaint and write in the type of Petition you are filing, for example, Guardianship of a Minor, Voluntary Administration.
5. Print your name and address.
6. If none of the parties to the case, is in the military, then cross out the words "heirs at law" if you are filing a complaint, cross out parties interested if you are filing a petition. **IF NONE OF THE PARTIES TO THE CASE IS IN THE MILITARY CROSS OUT SECTIONS ⑦ AND ⑧.**
7. If one of the parties to the case, or interested parties, is in the military, print the name of that person or persons in the blank lines. **IF ONE OF THE PARTIES TO THE CASE OR INTERESTED PARTIES IS IN THE MILITARY CROSS OUT SECTIONS ⑥ AND ⑧.**
8. If you do not know whether or not the parties or interested parties are in the military, fill in this section. Print the name of that person or persons in the blank lines. **IF YOU DO NOT KNOW WHETHER OR NOT THE PARTIES TO THE CASE OR INTERESTED PARTIES ARE IN THE MILITARY CROSS OUT SECTIONS ⑥ AND ⑦.**
9. Print the date and sign the form.

Every time a case is filed in court, a *DOCKET NUMBER* is assigned. This is the number the court uses to identify your case and find your case file.

Write this number on *all* papers you file in Court. Have the Docket Number handy when you come to the courthouse or call on the telephone to ask about your case.

Commonwealth of Massachusetts
The Trial Court
Probate and Family Court Department

1 Division

Docket No. **2**

Military Affidavit

Estate of READ INSTRUCTIONS

late of _____
(street and no.) (city or town)

(county) _____ Date of Death _____
(zip)

In the matter of the - petition - complaint of READ INSTRUCTIONS

account of _____

I, YOUR NAME HERE of YOUR ADDRESS
(city or town) (street and no.)

(county) (zip)

6 on oath depose and say that none of the - heirs-at-law - parties interested - in said petition - complaint - account - are in the military service of the United States or citizens of the United States in the military service of its allies.

READ INSTRUCTIONS

on oath depose and say that READ INSTRUCTIONS

7 _____

heirs-at-law - parties interested - in said petition - complaint - account - are in the military service of the United States or citizens of the United States in the military service of its allies.

on oath depose and say that I am unable to determine whether or not READ INSTRUCTIONS

8 _____

heirs-at-law - parties interested - in said petition - complaint - account - are in the military service of the United States or citizens of the United States in the military service of its allies.

Signed under the penalties of perjury this DAY day of MONTH 20 YEAR

Signature YOUR SIGNATURE